

Electronic Filing: The FCC Joins The 21st Century

On September 17, 2020, the FCC published a Report and Order under WT Docket No. 19-212 outlining the completion of the transition to Electronic Filing. The complete order can be downloaded with this [link](#).

The Report and Order finalized rule updates in the Wireless Radio Services whereby the following changes are made:

- Effective the date of this Report and Order, the FCC will no longer print and mail copies of authorizations to license holders. All notification preferences set in a licensee's FRN account will be reset to receive electronic licenses.

Effective six months from the effective date of this order:

- All exemptions to the electronic filing requirements outlined in section 1.913 are eliminated. All applications in the Wireless Radio Services must be filed electronically.
- All Antenna Structure Registration applications must be filed electronically.
- All applications in the Wireless Radio Services must provide a valid email address for the licensee. Applications not containing an email address will be dismissed.
- All petitions and pleadings related to ULS and ASR licenses and applications must be filed electronically. Any service required will be served electronically to the email address provided. Any service by email to such address will be considered complete upon sending.
- All correspondence between the FCC and ULS and ASR applicants and registrants will be made electronically by email. This includes notification of granted authorization, courtesy reminders for renewal and construction notification, cancellation letters, termination notices, return letters, ASR registration letters, etc. If an email address is not on file, no courtesy communication will be made.

We would encourage all entities to create a generic email address that is accessible by more than one employee. Having a single email such as FCC@mycompany.com will prevent the loss of communication from the FCC should the designated individual leave the company and their individual email account be terminated.

The FCC is also encouraging all licensees and ASR holders to update their existing licenses and tower registrations with a current and valid email address. Section 1.5 of the Commission's rules, as amended by this order, requires each licensee to furnish an e-mail address to be used for correspondence with the licensee, and Section 1.65 of the Commission's rules requires applicants to ensure "the continuing accuracy and completeness of the information furnished in a pending application." Section 1.947, also amended, further requires that licensees notify the Commission within 30 days of updating an email address of record.

Updating information such as address, telephone number and email address is considered an administrative update and has no associated FCC fee. (There may be fees involved should you hire a third party company to affect the needed updates.)

Filing an administrative update requires accessing your FRN account with the FCC. Should you not have the password for your account, not have a security question set up on the account (or do not know the answer to an existing security question), you need to remedy the situation as soon as possible. You can easily get assistance from the FCC in accessing your FRN account by calling their helpline at 1-877-480-3201 and following the prompts. You will need to have your entity's FRN number (displayed on the front of your license) and Federal Employer ID number handy.

An effective license management program begins with being able to navigate the FCC's online account provided to you. Failure to follow the FCC rules can lead to the FCC ordering your entity to develop and adhere to a compliance program (in addition to making a voluntary financial contribution to the Government). Prior orders have required entities to designate a senior manager to serve as Compliance Officer responsible for developing, implementing, and administering the Compliance Plan. Compliance Officers have been required to have general knowledge of the Communications Laws, as well as specific knowledge of the licensing rules. Compliance Plans have been required to have a database of licenses to be maintained, a compliance manual explaining the rules and operating procedures, a compliance training program, and compliance reports outlining the steps taken to ensure compliance periodically filed with the FCC for three years. This is a costly and time consuming process that can easily be avoided by taking proactive steps. Please seek advice from your radio dealer or a private company that can provide training in basic FCC license management.