

Federal Communications Commission

§ 63.52

lease and operate, during any emergency when its regular facilities become inoperative or inadequate to handle its traffic, facilities or any other carrier between points between which applicant is authorized to communicate by radio for the transmission of traffic which applicant is authorized to handle.

(2) Such request shall make reference to this paragraph and set forth the points between which applicant desires to operate facilities of other carriers and the nature of the traffic to be handled.

(3) Continuing authority for the operation thereafter of such alternate facilities during emergencies shall be deemed granted effective as of the 21st day following the filing of the request unless on or before that date the Commission shall notify the applicant to the contrary: provided, however, Applicant shall, not later than the 30th day following the end of each quarter in which it has operated facilities of any other carrier pursuant to authority granted under this paragraph, file with the Commission a statement in writing making reference to this paragraph and describing each occasion during the quarter when it has operated such facilities, giving dates, points between which such facilities were located, hours or minutes used, nature of traffic handled, and reasons why its own facilities could not be used.

(e) Subject to the availability of electronic forms, all applications and notifications described in this section must be filed electronically through the International Bureau Filing System (IBFS). A list of forms that are available for electronic filing can be found on the IBFS homepage. For information on electronic filing requirements, see part 1, §§1.1000 through 1.10018 of this chapter and the IBFS homepage at <http://www.fcc.gov/ibfs>. See also §§63.20 and 63.53.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[28 FR 13229, Dec. 5, 1963, as amended at 41 FR 20662, May 20, 1976; 58 FR 44906, Aug. 25, 1993. Redesignated and amended at 64 FR 39939, July 23, 1999; 69 FR 29902, May 26, 2004; 70 FR 38799, July 6, 2005]

GENERAL PROVISIONS RELATING TO ALL APPLICATIONS UNDER SECTION 214

§ 63.50 Amendment of applications.

Any application may be amended as a matter of right prior to the date of any final action taken by the Commission or designation for hearing. Amendments to applications shall be signed and submitted in the same manner, and with the same number of copies as was the original application. If a petition to deny or other formal objections have been filed to the application, the amendment shall be served on the parties.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[41 FR 20662, May 20, 1976]

§ 63.51 Additional information.

(a) You must provide additional information if the Commission requests you to do so after it initially reviews your application or request.

(b) If you do not respond to the request or other official correspondence, the Commission may dismiss your application without prejudice and you may file again with a completed application.

(c) Any additional information which the Commission may require must be submitted in the same manner as was the original filing. For information on filing requirements, see part 1, §§1.1000 through 1.10018 of this chapter and the IBFS homepage at <http://www.fcc.gov/ibfs>, and §63.20.

[69 FR 29902, May 26, 2004, as amended at 70 FR 38799, July 6, 2005]

§ 63.52 Copies required; fees; and filing periods for domestic authorizations.

(a) Unless otherwise specified the Commission shall be furnished with an original and 5 copies of applications filed under section 214 of the Communications Act of 1934, as amended; Provided, however, that where applications involve only the supplementation of existing domestic facilities, and the issuance of a certificate is not required, an original and 2 copies of the application shall be furnished. Upon request by the Commission additional

copies of the application shall be furnished. Each application shall be accompanied by the fee prescribed in subpart G of part 1 of this chapter.

(b) No application accepted for filing and subject to part 63 of these rules, unless provided for otherwise, shall be granted by the Commission earlier than 30 days following issuance of public notice by the Commission of the acceptance for filing of such application or any major amendment unless said public notice specifies another time period.

(c) Any interested party may file a petition to deny an application within the 30-day or other time period specified in paragraph (b) of this section. The petitioner shall serve a copy of such petition on the applicant no later than the date of filing thereof with the Commission. The petition shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant of the application would be *prima facie* inconsistent with the public interest, convenience and necessity. Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof. The applicant may file an opposition to any petition to deny, and the petitioners may file a reply to such opposition (see §1.45 of this chapter), and allegations of facts or denials thereof shall similarly be supported by affidavit. These responsive pleadings shall be served on the applicant or petitioners, as appropriate, and other parties to the proceeding.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[41 FR 20662, May 20, 1976; 41 FR 22274, June 2, 1976, as amended at 42 FR 36459, July 15, 1977; 61 FR 10476, Mar. 14, 1996; 61 FR 59201, Nov. 21, 1996; 64 FR 39939, July 23, 1999]

§ 63.53 Form.

(a)(1) Applications for international service under section 214 of the Communications Act must be filed electronically with the Commission. For applications filed electronically it is not necessary to send the original or any copies with the fee payment. Subject to the availability of electronic forms, all applications and other fil-

ings described in this section must be filed electronically through the International Bureau Filing System (IBFS). A list of forms that are available for electronic filing can be found on the IBFS homepage. For information on electronic filing requirements, see part 1, §§1.1000 through 1.10018 of this chapter and the IBFS homepage at <http://www.fcc.gov/ibfs>. See also §§63.20.

(2) Applications for international service under section 214 of the Communications Act that are not filed through IBFS shall be submitted on paper not more than 21.6 cm (8.5 in) wide and not more than 35.6 cm (14 in) long with a left-hand margin of 4 cm (1.5 in). This requirement shall not apply to original documents, or admissible copies thereof, offered as exhibits or to specially prepared exhibits. The impression shall be on one side of the paper only and shall be double-spaced, except that long quotations shall be single-spaced and indented. All papers, except charts and maps, shall be typewritten or prepared by mechanical processing methods, other than letter press, or printed. The foregoing shall not apply to official publications. All copies must be clearly legible.

(b) Applications for domestic authorizations under section 214 of the Communications Act shall be submitted on paper not more than 21.6 cm (8.5 in) wide and not more than 35.6 cm (14 in) long with a left-hand margin of 4 cm (1.5 in). This requirement shall not apply to original documents, or admissible copies thereof, offered as exhibits or to specially prepared exhibits. The impression shall be on one side of the paper only and shall be double-spaced, except that long quotations shall be single-spaced and indented. All papers, except charts and maps, shall be typewritten or prepared by mechanical processing methods, other than letter press, or printed. The foregoing shall not apply to official publications. All copies must be clearly legible.

(c) Applications submitted under Section 214 of the Communications Act for international services and any related pleadings that are in a foreign