

§ 1.9055

attorney shall, when applicable, separately set forth the reason why the application is not signed by the licensee or lessee. In addition, if any matter is stated on the basis of the attorney's belief only (rather than knowledge), the attorney shall separately set forth the reasons for believing that such statements are true. Only the original of notifications, applications, amendments, and related statements of fact need be signed.

(c) Notifications, applications, amendments, and related statements of fact need not be signed under oath. Willful false statements made therein, however, are punishable by fine and imprisonment (see 18 U.S.C. section 1001), and by appropriate administrative sanctions, including revocation of license pursuant to section 312(a)(1) of the Communications Act of 1934 or revocation of the spectrum leasing arrangement.

(d) "Signed," as used in this section, means, for manually filed notifications and applications only, an original hand-written signature or, for electronically filed notifications and applications only, an electronic signature. An electronic signature shall consist of the name of the licensee or spectrum lessee transmitted electronically via ULS and entered on the application as a signature.

§ 1.9055 Assignment of file numbers to spectrum leasing notifications and applications.

Spectrum leasing notifications or applications submitted pursuant to the rules of this subpart are assigned file numbers and service codes in order to facilitate processing in the manner in which applications in subpart F are assigned file numbers (see § 1.926 of subpart F of this part).

§ 1.9060 Amendments, waivers, and dismissals affecting spectrum leasing notifications and applications.

(a) Notifications and applications regarding spectrum leasing arrangements may be amended in accordance with the policies, procedures, and standards applicable to applications as set forth in subpart F of this part (see §§ 1.927 and 1.929 of subpart F of this part).

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(b) The Commission may waive specific requirements of the rules affecting spectrum leasing arrangements and the use of leased spectrum, on its own motion or upon request, in accordance with the policies, procedures, and standards set forth in subpart F of this part (see § 1.925 of subpart F of this part).

(c) Notifications and pending applications regarding spectrum leasing arrangements may be dismissed in accordance with the policies, procedures, and standards applicable to applications as set forth in subpart F of this part (see § 1.935 of subpart F of this part).

Subpart Y—International Bureau Filing System

SOURCE: 69 FR 29895, May 26, 2004, unless otherwise noted. Redesignated at 69 FR 40327, July 2, 2004.

§ 1.10000 What is the purpose of these rules?

(a) These rules are issued under the Communications Act of 1934, as amended, 47 U.S.C. 151 *et seq.*, and the Submarine Cable Landing License Act, 47 U.S.C. 34–39.

(b) This subpart describes procedures for electronic filing of International and Satellite Services applications using the International Bureau Filing System.

(c) More licensing and application descriptions and directions, including but not limited to specifying which International and Satellite service applications must be filed electronically, are in parts 1, 25, 63, and 64 of this chapter.

[69 FR 47793, Aug. 6, 2004]

§ 1.10001 Definitions.

Application. A request for an earth or space station radio station license, an international cable landing license, or an international service authorization, or a request to amend a pending application or to modify or renew licenses or authorizations. The term also includes the other requests that may be filed in IBFS such as transfers of control and assignments of license applications, earth station registrations, and foreign carrier affiliation notifications.

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Authorizations. Generally, a written document or oral statement issued by us giving authority to operate or provide service.

International Bureau Filing System. The International Bureau Filing System (IBFS) is a database, application filing system, and processing system for all International and Satellite services. IBFS supports electronic filing of many applications and related documents in the International Bureau, and provides public access to this information.

International Services. All international services authorized under parts 1, 63 and 64 of this chapter.

Official Filing Date.

Satellite Space Station Applications (other than DBS and DARS) and Applications for Earth Stations to Access a Non-U.S. Satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States. We consider a Satellite Space Station

application (other than DBS and DARS) and an Application for an Earth Station to Access a Non-U.S. Satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States officially filed the moment you file them through IBFS. The system tracks the date and time of filing (to the millisecond). For purposes of the queue discussed in §25.158 of this chapter, we will base the order of the applications in the queue on the date and time the applications are filed, rather than the "Official Filing Date" as defined here.

All Other Applications. We consider all other applications officially filed once you file the application in IBFS and applicable filing fees are received and approved by the FCC, unless the application is determined to be fee-exempt. We determine your official filing date based on one of the following situations:

1. You file your Satellite Space Station Application (other than DBS and DARS) or your Application for Earth Stations to Access a Non-U.S. Satellite Not Currently Authorized to provide the Proposed Service in the Proposed Frequencies in the United States in IBFS.

Your official filing date is the date and time (to the millisecond) you file your application and receive a confirmation of filing and submission ID.

2. You file all other applications in IBFS and then do one of the following:

Your official filing date is:

Send your payment (via check, bank draft, money order, credit card, or wire transfer) and FCC Form 159 to Mellon Bank.

The date Mellon Bank stamps your payment as received.

Pay by online credit card (through IBFS)..

The date your online credit card payment is approved. (Note: you will receive a remittance ID and an authorization number if your transaction is successful).

Determine your application type is fee-exempt or your application qualifies for exemption to charges as provided in Part 1 of the Commission's Rules.

The date you file in IBFS and receive a confirmation of filing and submission ID.

Satellite Services. All satellite services authorized under part 25 of this chapter.

Submission ID. The Submission ID is the confirmation number you receive from IBFS once you have successfully filed your application. It is also the

number we use to match your filing to your payment. Your IBFS Submission ID will always start with the letters "IB" and include the year in which you file as well as a sequential number, (e.g., IB2003000123).

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Us. In this subpart, “us” refers to the Commission.

We. In this subpart, “we” refers to the Commission.

You. In this subpart, “you” refers to applicants, licensees, your representatives, or other entities authorized to provide services.

§ 1.10002 What happens if the rules conflict?

The rules concerning parts 1, 25, 63 and 64 of this chapter govern over the electronic filing in this subpart.

§ 1.10003 When can I start operating?

You can begin operating your facility or providing services once we grant your application to do so, under the conditions set forth in your license or authorization.

§ 1.10004 What am I allowed to do if I am approved?

If you are approved and receive a license or authorization, you must operate in accordance with, and not beyond, your terms of approval.

§ 1.10005 What is IBFS?

(a) The International Bureau Filing System (IBFS) is a database, application filing system, and processing system for all International and Satellite Services. IBFS supports electronic filing of many applications and related documents in the International Bureau, and provides public access to this information.

(b) We maintain applications, notifications, correspondence, and other materials filed electronically with the International Bureau in IBFS.

§ 1.10006 Is electronic filing mandatory?

(a) Mandatory electronic filing requirements for applications for international and satellite services are set forth in parts 1, 25, 63, and 64 of this chapter.

(b) If you are not required to file an international or satellite application, you may file that application electronically on a voluntary basis. However, we encourage you to use IBFS to increase time-savings and efficiency.

[69 FR 47793, Aug. 6, 2004]

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§ 1.10007 What applications can I file electronically?

(a) You can file most International and Satellite applications electronically. In cases where a paper form exists, we attempted to keep the same format for the online version of the form. In some cases (such as International Section 214 applications filed under §63.18), although a paper form does not exist, there is an electronic form to facilitate filing.

(b) For a complete list of applications you can file electronically, see the IBFS Web site at www.fcc.gov/ibfs.

(c) Many applications require exhibits or attachments. If attachments are required, you must attach documentation to your electronic application before filing. We accept attachments in the following formats: Word, Adobe Acrobat, Excel and Text.

(d) For paper filing rules and procedures, see parts 1, 25, 63 or 64.

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§ 1.10008 What are IBFS file numbers?

(a) We assign file numbers to electronic applications in order to facilitate processing.

(b) We only assign file numbers for administrative convenience; they do not mean that an application is acceptable for filing.

(c) For a description of file number information, see The International Bureau Filing System File Number Format Public Notice, DA-04-568 (released February 27, 2004).

§ 1.10009 What are the steps for electronic filing?

(a) *Step 1: Register for an FCC Registration Number (FRN). (See Subpart W, §§ 1.8001 through 1.8004.)*

(1) If you already have an FRN, go to Step 2.

(2) In order to process your electronic application, you must have an FRN. You may obtain an FRN either directly from the Commission Registration System (CORES) at <http://www.fcc.gov/e-file/>, or through IBFS as part of your filing process. If you need to know more about who needs an FRN, visit CORES at <http://www.fcc.gov/e-file/>.

(3) If you are a(n):