§ 63.25 Special provisions relating to temporary or emergency service by international carriers.

(a) For the purpose of this section the following definitions shall apply:

(1) **Temporary service** shall mean service for a period not exceeding 6 months;

(2) **Emergency service** shall mean service for which there is an immediate need occasioned by conditions unforeseen by, and beyond the control of, the carrier.

(b) Applicants seeking immediate authorization to provide temporary service or emergency service must file their request with the Commission. Requests must set forth why such immediate authority is required; the nature of the emergency; the type of facilities proposed to be used; the route kilometers thereof; the terminal communities to be served, and airline kilometers between such communities; how these points are currently being served by the applicant or other carriers; the need for the proposed service; the cost involved, including any rentals; the date on which the service is to begin, and where known, the date or approximate date on which the service is to terminate.

(c) Without regard to the other requirements of this part, and by application setting forth the need therefore, any carrier may request continuing authority, subject to termination by the Commission at any time upon ten (10) days’ notice to the carrier, to provide temporary or emergency service by the construction or installation of facilities where the estimated construction, installation, and acquisition costs do not exceed $35,000 or an annual rental of not more than $7,000 provided that such project does not involve a major action under the Commission’s environmental rules. (See subpart I of part 1 of this chapter.) Any carrier to which continuing authority has been granted under this paragraph shall, not later than the 30th day following the end of each 6-month period covered by such authority, file with the Commission a statement making reference to this paragraph and setting forth, with respect to each project (construction, installation, lease, including any renewals thereof), which was commenced or, in the case of leases, entered into under such authority, and renewal or renewals thereof which were in continuous effect for a period of more than one week, the following information:

(1) The type of facility constructed, installed, or leased;

(2) The route kilometers thereof (excluding leased facilities);

(3) The terminal communities served and the airline kilometers between terminal communities in the proposed project;

(4) The cost thereof, including construction, installation, or lease;

(5) Where appropriate, the name of the lessor company, and the dates of commencement and termination of the lease.

(d)(1) A request may be made by any carrier for continuing authority to 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
writing within this section. To the extent
such facilities were located, hours or minutes used, nature of traffic
handled, and reasons why its own fa-
cilities could not be used.
(e) Subject to the availability of elec-
tronic forms, all applications and noti-
fications described in this section must
be filed electronically through the
International Bureau Filing System
(IBFS). A list of forms that are avail-
able for electronic filing can be found
on the IBFS homepage. For informa-
tion 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. Amend-
ments 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 par-
ties.

(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 in-
formation if the Commission requests
you to do so after it initially reviews
your application or request.
(b) If you do not respond to the re-
quest or other official correspondence,
the Commission may dismiss your ap-
lication without prejudice and you
may file again with a completed appli-
cation.
(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 authoriza-
tions.

(a) Unless otherwise specified the
Commission shall be furnished with an
original and 5 copies of applications
filed under section 214 of the Commu-
ications Act of 1934, as amended; Pro-
vided, however, that where applica-
tions involve only the supplementation
of existing domestic facilities, and the
issuance of a certificate is not re-
quired, an original and 2 copies of the
application shall be furnished. Upon re-
quest by the Commission additional
copies of the application shall be fur-
nished. Each application shall be ac-
companied by the fee prescribed in sub-
part 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 pub-
lic notice by the Commission of the ac-
ceptance for filing of such application
or any major amendment unless said
public notice specifies another time pe-
riod.
(c) Any interested party may file a
petition to deny an application within
the 30-day or other time period speci-
fied 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 appli-
cation would be prima facie incon-
sistent with the public interest, con-
venience and necessity. Such allega-
tions of fact shall, except for those of
which official notice may be taken, be
supported by affidavit of a person or