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Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Attention: Nnake Nweke, Chief
Experimental Licensing Branch
Office of Engineering and Technology
Room 7A-321

Re: Caterpillar, Inc.
Application for Renewal of License
Experimental Radio Service Station WF2XAI
File No. 0117-EX-RR-2013

PETITION FOR RECONSIDERATION

Dear Mr. Nweke:

On behalf of Caterpillar, Inc. ("Caterpillar"), we hereby request, to the extent deemed necessary and pursuant to Section 1.106 of the Commission's Rules, reconsideration of the action taken by the Chief, Experimental Licensing Branch by letter dated July 19, 2013, dismissing the above referenced license renewal application due to

the expiration of Caterpillar's frequency approval in the NTIA database. In that Caterpillar had timely filed its license renewal application, it is respectfully submitted that the Commission's action was in error, and should be rescinded.¹

In support hereof, the following is shown:

On March 19, 2013, Caterpillar timely filed its application for license renewal in the Office of Engineering and Technology's ("OET's") Experimental Licensing System ("ELS"). The application was filed approximately six (6) weeks prior to the April 30, 2013 license expiration and 15 weeks prior to the July 1, 2013 expiration of the NTIA frequency approval. The staff has advised Caterpillar that while its application filing was not defective, the NTIA frequency approval was inadvertently allowed to expire due to a communication error between the Commission's staff and NTIA. As a result, the expiration of the NTIA frequency approval occurred for reasons beyond the control of Caterpillar even though Caterpillar exercised due diligence in filing its license renewal application.

¹ Pursuant to a "verbal" request for reconsideration, the Experimental Licensing System reflects that the dismissal of the above-referenced license renewal application was set aside on July 19, 2013. In support of this action, the staff has informally requested that the instant petition be submitted in order to properly document the justification for the Commission's action to set aside the dismissal and reinstate the license renewal application *nunc pro tunc*.

Accordingly, it is respectfully requested that the Commission reconsider and set-aside its dismissal action, reinstate the above-referenced application *nunc pro tunc*, and promptly process the application to grant.

Respectfully submitted,



Richard D. Rubino
Counsel for Caterpillar, Inc.