

RCN Telecom Services (Lehigh) LLC
Attachment 1: REQUEST FOR WAIVER

RCN Telecom Services (Lehigh) LLC (“RCN-Lehigh” or “Company”) submits this request for waiver as a component of its application for renewal of a registration¹ for a C-Band receive-only earth station currently operating in the 3.7-4.2 GHz band (the “E060102 Registration”).² In connection with the application, RCN-Lehigh requests that the Federal Communications Commission (“Commission”) grant a one-time waiver of Rule 25-115(b)(7) to permit the Company to submit this filing out of the prescribed time period. RCN-Lehigh submits that grant of the requested waiver – necessary to permit the renewal of the E060102 Registration – will serve the public interest while resulting in no adverse effects to the public or to the Commission’s regulatory framework and policies.

Background to Request for Waiver

RCN-Lehigh, along with its affiliated RCN companies, provides a comprehensive range of cable, telephony, and broadband Internet access services to residential and business customers. The Company’s operations, including those utilizing the receive-only earth station -- E060102 Registration, are ongoing, and it has at all times been the intention of RCN-Lehigh to continue to hold (and renew) the E060102 Registration. The term of this registration is set to expire on March 21, 2021 and, pursuant to Commission Rules, this request for renewal should have been filed no later than February 19, 2021.³ Unfortunately, as a consequence of administrative error, this deadline was inadvertently overlooked. The Company has just discovered this development and is acting promptly to rectify the situation; however, it acknowledges that this renewal request is not timely filed and a waiver of the prescribed timeline for renewal requests is necessary.

Public Interest Considerations in Support of Requested Waiver

As a general matter, renewal of the E060102 Registration would further the public interest. The Company is an established communications provider both serving longstanding customers throughout its operating territory and seeking to serve new customers. The stable continuity of those services is of benefit to all these customers. Moreover, because the renewed E060102 Registration would reflect the terms and conditions that have been in place without issue through the registration’s initial fifteen-year term, there should be no controversy regarding the approval of these license specifications going forward.

¹ Call Sign E060102.

² Initially, the E060102 Registration was granted to RCN Telecom Services, Inc. (“RCN-TS”) in 2006. See File No. SES-REG-20060328-00536 (granted May 9, 2006). Subsequently, in 2010, the registration was assigned to RCN-Lehigh, an affiliate of RCN-TS, as part of a *pro forma* intracorporate reorganization. See File No. SES-ASG-20100825-01089 (granted Sept. 16, 2010). This renewal is permissible, pursuant to Commission Rule 25-138(d) because the E060102 Registration meets the criteria of Rule 25-138(c). The Company understands that, consistent with the C-Band Transition framework, future operations under the E060102 Registration will be limited to the 4.0-4.2 GHz band.

³ 47 C.F.R. § 25.115(b)(7).

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Finally, grant of this waiver would in no respect undermine, or run contrary to, the purposes of the Commission's Rules (or recent decisions regarding the C-Band Transition). The Company's failure to timely file was inadvertent; the Company has moved with speed to rectify the situation and minimize the degree of untimeliness; and the balance of interests supports grant of the requested waiver. For all these reasons, RCN-Lehigh requests that the Commission grant its request for waiver and proceed to approve the renewal application for call sign E060102.