Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Transforming the 2.5 GHz Band ) WT Docket No. 18-120

PETITION FOR WAIVER

The [name of Tribe or Tribal entity] petitions the Federal Communications Commission (FCC or Commission) to waive the [Tribal entity, Tribal lands, rural, and/or local presence, whichever is applicable] requirement for participation in and eligibility for the 2.5 GHz Rural Tribal Priority Window.

BACKGROUND

Provide specific background and sufficiently detailed information about the Tribe or Tribal entity, such as:
- General overview of the Tribe’s history (such as federal recognition, relationship to the Tribal land, high-level historical details) – all to paint a picture for the FCC.
- Current connectivity challenges and how 2.5 GHz will benefit the Tribe and community.
- Background details supporting why the Tribe or Tribal entity needs a waiver of the Tribal entity, Tribal lands, rural, and/or local presence requirement.

ARGUMENT

Generally, the Commission’s rules may be waived for good cause shown.1 Waiver of the Commission’s rules is appropriate only if both: (1) special circumstances warrant a deviation from the general rule; and (2) such deviation will serve the public interest.2 In exercising its discretion, the Commission may consider hardship, equity, or more effective implementation of policy on an overall basis.3 For the reasons articulated below, special circumstances exist and the public interest would be far better served by a waiver of the [Tribal entity, Tribal lands, rural, and/or local presence, whichever is applicable] requirement than strict application of the rule.

Specifically explain why the FCC rule(s) should not apply in this instance. What are the special circumstances here?

Are there issues of hardship and/or equity or fairness that warrant waiving the FCC’s rule in this situation?

1 47 C.F.R. § 1.3.

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Keep the reasons and arguments narrowly tailored to the Tribe or Tribal entity’s unique or special circumstances. Emphasize that the need for a waiver is specific to the Tribe’s or Tribal entity’s circumstances.

Explain specifically why granting the waiver would be “in the public interest” (why granting the waiver and gaining access to a 2.5 GHz spectrum license is important to the Tribe or Tribal entity; how it will expand connectivity; how it will improve education/distance learning, health care/telemedicine, public safety, economic development, etc.)

**CONCLUSION**

Provide a short summary of why the FCC should grant the petition for waiver.

Respectfully submitted this [XX day of XX, 2020 – fill in the date],

Signature of Tribal or Tribal entity official

Name
Title
Tribe or Tribal entity

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