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**On FCC Wireless Siting Order**  
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<b>General Timelines for Local Action</b>	<p><b>I.</b> A “reasonable time” for local action — beyond which local inaction on a siting application constitutes a “failure to act” — is: (1) 90 days for collocation applications; and (2) 150 days for other siting applications. ¶ 4.</p> <p><b>II.</b> At that point, the applicant is entitled to bring an action under Section 332(c)(7)(B)(v). ¶ 19. It has 30 days to do so, by Section 332(c)(7)(B)(v). ¶ 49.</p> <p><b>III.</b> The State or local government will then have the opportunity “to present to the court arguments to show that additional time would be reasonable, given the nature and scope of the siting application at issue.” ¶ 19.</p>
<b>Applicants Lose the Right To Sue</b>	<p><b>1.</b> “Any court action <b>must</b> be brought by day 120 or 180 [after the application is filed] on penalty of losing the ability to sue.” ¶ 49.</p> <p><b>2.</b> However, the “‘reasonable period of time’ may be extended beyond 90 or 150 days by mutual consent” or the provider and the government; and the commencement of the 30-day period will be tolled. ¶ 49.</p>
<b>State Law Timing Issues</b>	<p><b>3.</b> The Ruling’s timelines for Section 332(c)(7) operate independently of state or local timelines. If a state or local timeline is shorter than the timelines in the Ruling, the applicant may pursue remedies under the state or local law. If the state or local timeline is longer than the timelines in the Ruling, the applicant may pursue remedies under Section 332(c)(7) in accordance with the Ruling, or wait and pursue the remedy under state or</p>

	local law at a later time. ¶ 50.
<b>Currently Pending Applications</b>	<p>4. For applications that have been pending for 90/150 days or longer as of November 18, 2009, the applicant may provide notice to the State or local government, and file suit if the local government fails to act within <b>60 days</b> of such notice. ¶ 51.</p> <p>5. For applications that have been pending for <i>less</i> than 90/150 days, the State or local government will have 90/150 days from November 18, 2009 before it will be considered have “failed to act” on the application.</p>
<b>Completeness of Applications</b>	<p>1. “[W]hen applications are incomplete as filed, the timeframes do not include the time that applicants take to respond to State and local governments’ requests for additional information.” ¶ 52.</p> <p>2. However, “[r]eviewing authorities should be bound to notify applicants within a reasonable period of time that their applications are incomplete.” ¶ 52. As a result, “the time it takes for an applicant to respond to a request for additional information will not count toward the 90 or 150 days <b><u>only if that State or local government notifies the applicant within the first 30 days that its application is incomplete.</u></b>”</p>