



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 04-4021

December 22, 2004

**WIRELESS TELECOMMUNICATIONS BUREAU EXTENDS PERIOD FOR
COMMENT ON AVATAR ENVIRONMENTAL, LLC, REPORT
REGARDING MIGRATORY BIRD COLLISIONS WITH COMMUNICATIONS TOWERS
WT Docket No. 03-187**

Comment Date: February 14, 2005

Reply Date: March 14, 2005

On December 14, 2004, the Wireless Telecommunications Bureau issued a Public Notice seeking comment on the report of Avatar Environmental, LLC, (Avatar), regarding migratory bird collisions with communications towers, filed in the above-referenced docket.¹ On December 21, 2004, the National Association of Broadcasters (NAB) and CTIA – The Wireless Association (CTIA) filed a Joint Motion for Extension of Comment and Reply Comment Deadline, requesting that the comment period be extended until February 14, 2005, and the reply comment period until March 14, 2005. NAB and CTIA contend that this extension is appropriate because the policy, scientific and technical questions raised by Avatar necessitate additional time for review. In addition, NAB and CTIA note that the comment period falls within a period of time when many consultants are unavailable due to the winter holidays. NAB and CTIA also state that the reply comment deadline does not provide sufficient time to respond to potential issues raised by other commenters.

We agree that, under these circumstances, a modest extension to the comment and reply comment periods will assist the Commission in obtaining a complete and thorough record on which to base its decisions. Accordingly, we grant the motion of NAB and CTIA, and extend the comment and reply comment dates as requested.

In addition, we correct the filing instructions in the earlier Public Notice to read as follows:

We invite comment on all aspects of Avatar's report. Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before January 13, 2005, and reply comments on or before January 28, 2005. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.² Given recent changes in the Commission's mail delivery system, parties are strongly urged to use the ECFS to file their pleadings. Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, electronic filers should include their full

¹ See *Wireless Telecommunications Bureau Seeks Comment on Avatar Environmental, LLC, Report Regarding Migratory Bird Collisions With Communications Towers*, WT Docket No. 03-187, *Public Notice*, DA 04-3891 (WTB, rel. Dec. 14, 2004).

² See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (May 1, 1998).

name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an email to ecfs@fcc.gov, and should include the following words in the body of the message, “get form <your e-mail address>.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. All filings by mail (including U.S. Postal Service Express Mail, Priority Mail, and First Class Mail) must be sent to the Commission’s Secretary, Marlene H. Dortch, Federal Communications Commission, Office of the Secretary, 445 12th Street, S.W., Washington D.C. 20054. All filings sent to the Commission by overnight delivery, *e.g.*, Federal Express (other than by U.S. Postal Service Express Mail and Priority Mail), must be sent to the Commission’s Secretary, Marlene H. Dortch, Federal Communications Commission, Office of the Secretary, 9300 East Hampton Drive, Capitol Heights, MD 20743. All hand-delivered or messenger-delivered filings must be delivered to the Commission’s filing location at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002-4913. The filing hours at this facility are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

Parties who choose to file by paper should also submit their comments on diskette to: Louis Peraertz, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The required diskette copies of submissions should be on 3.5-inch diskettes formatted in an IBM-compatible format using Microsoft Word or compatible software. Each diskette should be accompanied by a cover letter and should be submitted in “read only” mode. The diskette should be clearly labeled with the commenter’s name, proceeding, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase “Disk Copy – Not an Original.” Each diskette should contain only one party’s pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission’s copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street S.W., CY-B402, Washington, D.C. 20554.

Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Information Center, Federal Communications Commission, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. These documents also will be available electronically from the Commission’s Electronic Comment Filing System. Copies of filings in this proceeding may be obtained from Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C., 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail at www.bcpjweb.com. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0531 (voice), 202-418-7365 (tty).