

Before the
FEDERAL COMMUNICATIONS COMMISSION DA 96-18
Washington, D.C. 20554

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| In the Matter of |) | |
| |) | |
| Amendment of Part 90 of the |) | PR Docket No. 93-144 |
| Commission's Rules to Facilitate |) | RM-8117, RM-8030 |
| Future Development of SMR Systems |) | RM-8029 |
| in the 800 MHz Frequency Band |) | |
| Implementation of Sections 3(n) and 332 |) | GN Docket No. 93-252 |
| of the Communications Act - |) | |
| Regulatory Treatment of Mobile Services |) | |
| Implementation of Section 309(j) |) | |
| of the Communications Act - |) | PP Docket No. 93-253 |
| Competitive Bidding |) | |
| 800 MHz SMR |) | |

ORDER

Adopted: January 16, 1996

Released: January 16, 1996

By the Acting Chief, Commercial Wireless Division:

1. We have received requests from the American Mobile Telecommunications Association, Inc. ("AMTA") and the Personal Communications Industry Association ("PCIA") for an extension of time for filing Comments and Reply Comments in response to the *Second Further Notice of Proposed Rule Making* in this proceeding.¹ AMTA's and PCIA's motions, both filed on January 11, 1996, request that the Commission extend the deadline for filing comments and reply comments (currently January 16, 1996 and January 25, 1996, respectively) by 60 days. No opposition to these requests has been filed to date.

2. AMTA seeks a 60-day extension so that the industry can consider and discuss the Commission's proposals and provide reasoned responses to the comments filed. AMTA

¹Amendment of Part 90 of the Commission's Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band, Implementation of Sections 3(n) and 332 of the Communications Act - Regulatory Treatment of Mobile Services, and Implementation of Section 309(j) of the Communications Act - Competitive Bidding, 800 MHz SMR, PR Docket No. 93-144, GN Docket No. 93-252, and PP Docket No. 93-253, *Second Further Notice of Proposed Rule Making*, FCC 95-501, adopted December 15, 1995, released December 15, 1995 (*Second Further Notice*).

states that the issues addressed in the *Second Further Notice* "require a degree of thoughtful deliberation which cannot be accomplished within the period provided by the FCC."² In its motion, PCIA states that "the Federal Government shutdown and additional closures for inclement weather have had a significant impact upon the ability of the industry to prepare comments by the filing deadline."³ In this connection, both AMTA and PCIA indicate that the unavailability of Commission personnel due to these circumstances has hampered industry representatives' efforts to seek clarification of and exchange of information concerning the issues presented in the *Second Further Notice*.⁴ As a result, AMTA and PCIA agree that an extension of time would allow interested and affected parties to submit well-reasoned options and comments on the complex issues addressed in this proceeding.

3. In light of the complexity of the issues raised by the *Second Further Notice* and the inability of the parties to communicate with Commission staff during the government shutdown, we agree with both AMTA and PCIA that the public interest would be served by granting an extension. We nevertheless remain concerned about avoiding a substantial delay in the resolution of issues presented in this proceeding. Thus, we believe that a 30-day extension of the comment period along with an extended reply comment period is appropriate.

4. Accordingly, IT IS HEREBY ORDERED that the Motions of Extension of Time filed by the American Mobile Telecommunications Association and the Personal Communications Industry Association are hereby GRANTED to the extent stated herein.

5. IT IS FURTHER ORDERED, pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, that the deadline for filing comments in this proceeding is extended from January 16, 1996 to February 15, 1996, and that the deadline for filing reply comments is extended from January 25, 1996 to March 1, 1996.

FEDERAL COMMUNICATIONS COMMISSION



David L. Furth
Acting Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

²AMTA Motion at 4.

³PCIA Motion at 2.

⁴See AMTA Motion at 4-5; PCIA Motion at 2.