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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 95M-129

DISPATCHED BY

In re Application of)	CC DOCKET NO. 94-136	51444
)		
ELLIS THOMPSON CORPORATION)	File No. 14261-CL-P-134-A-86	
)		
For facilities in the Domestic)		
Public Cellular Radio Telecom-)		
munications Service on Frequency)		
Block A in Market No. 134,)		
Atlantic City, New Jersey)		

MEMORANDUM OPINION AND ORDER

Issued: May 18, 1995; Released: May 22, 1995

1. Under consideration is "Joint Motion For Extension Of Time To File Motion For Summary Decision And For Continuance Of Procedural Dates" filed May 17, 1995 by Ellis Thompson Corporation (ETC), American Cellular Network Corp. d/b/a Comcast Cellular (Amcell), Telephone and Data Systems, Inc. (TDS), and the Wireless Telecommunications Bureau (Bureau).

2. ETC, Amcell, TDS and the Bureau (Parties) move for an extension of time to file a motion for summary decision and for a continuance of procedural dates pending action on such summary decision motion. As noted by the parties, a motion for summary decision must be filed by May 30, 1995; they seek an extension of time until June 30, 1995. Grant of such request would necessarily require a continuance of the hearing scheduled for June 19 as well as the other procedural dates.

3. Parties urge, in support of the relief requested, that the brief extension of time will not adversely affect consideration of the captioned matter in a timely manner. Also, it will potentially conserve the Commission's resources and expedite the conduct of its business assuming as the parties contend, they are able to show that there is no genuine issue of material fact, obviating the need for a hearing. Good cause has been shown for grant of the relief requested.

Accordingly, IT IS ORDERED, That the Joint Motion IS GRANTED; that the time for filing motion for summary decision IS EXTENDED to June 30, 1995; and that all procedural dates including the hearing scheduled to commence on June 19, 1995 ARE CONTINUED without date pending action on the summary decision motion.¹

FEDERAL COMMUNICATIONS COMMISSION

Joseph Chachkin
Joseph Chachkin
Administrative Law Judge

¹ A new procedural schedule will be established if the summary decision motion is denied.