



Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

RECEIVED

SEP 12 1995

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

In the Matter of )  
)  
Amendment of Part 90 of the )  
Commission's Rules To Provide )  
for the Use of the 220-222 MHz Band )  
by the Private Land Mobile )  
Radio Service )  
)  
and )  
)  
Implementation of Sections 3(n) and 332 )  
of the Communications Act )

PR Docket No. 89-552

DOCKET FILE COPY ORIGINAL

GN Docket No. 93-252

To: The Commission

DOCKET FILE COPY ORIGINAL

**MOTION FOR EXTENSION OF REPLY COMMENT DATE**

The American Mobile Telecommunications, Inc. ("AMTA" or "Association"), in accordance with Section 1.46(b) of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulations, 47 C.F.R. § 1.46(b) and by counsel, respectfully requests that the Commission extend the Reply Comment date in the above-entitled proceeding for seven business days until Wednesday, September 27, 1995.<sup>1/</sup>

**I. INTRODUCTION**

AMTA is a nationwide, non-profit trade association dedicated to the interests of what heretofore had been classified as the private carrier industry. The Association's members include trunked and conventional 800 and 900 MHz SMR

<sup>1/</sup> Fourth Notice of Proposed Rulemaking, FCC 95-381, PR Docket No. 89-552, (Released Aug. 29, 1995) ("Fourth NPR").

Accepted for filing  
SEP 12 1995  
*City*

operators, licensees of wide-area SMR systems, and commercial licensees in the 220 MHz band. AMTA's 220 MHz Council includes representatives of the vast majority of incumbent 220 MHz operators, 220 MHz network organizers and narrowband 220 MHz equipment suppliers. Many of its members' businesses will be affected by the decisions reached in the instant proceeding regarding proposed modification rules for 220 MHz systems. Thus, the Association has a significant interest in the outcome of the proceeding.

## **II. EXTENSION REQUEST**

In the instant Fourth NPR, the Commission proposed the regulations by which Phase I licensees would be permitted to modify their existing authorizations prior to implementation of a new regulatory structure for this band. Comments in this proceeding are due Wednesday, September 13, 1995. Reply Comments are due Monday, September 18, 1995. Thus, the Commission provided only a five (5) day period, which includes a weekend, in which Reply Comments must be submitted.

AMTA notes that the issues underlying this proceeding have been outstanding for almost four and one-half years. No applications for new or modified stations have been accepted since the initial filing window for 220 MHz systems in May, 1991. AMTA appreciates the Commission's responsiveness and its willingness to keep this proceeding on a fast track. Because of the time sensitivity of these matters, AMTA does not support an extension of the Comment date. Rather, AMTA only requests a brief extension of the date Reply Comments are due. Although its members are anxious for expeditious action in this matter, AMTA believes it is critical that the

Commission develop a record adequate to make appropriate decisions on these issues of vital interest.

Because AMTA expects a substantial number of comments to be submitted, AMTA requests that interested parties to the 220 MHz proceeding have a reasonable period in which to obtain the Comments, analyze them, and prepare Reply Comments, should there be a need to do so. AMTA is concerned that the current Reply Comment period will not be sufficient to ensure that the Commission is provided with adequate information to make a decision that will serve the public interest and meet the objectives of the agency.

Therefore, the Association requests that the FCC extend the Reply Comment date until Wednesday, September 27, 1995. The Association is convinced that this limited extension will permit interested parties an opportunity to submit thorough and reasoned Reply Comments which will be beneficial to the Commission in its ultimate action in this rule making proceeding.

**III. CONCLUSION**

For the reasons described herein, AMTA respectfully requests that the FCC extend the Reply Comments due date in the above-entitled proceeding until Wednesday, September 27, 1995.

RESPECTFULLY SUBMITTED,

**AMERICAN MOBILE TELECOMMUNICATIONS  
ASSOCIATION, INC.**

By:   
Elizabeth R. Sachs, Esq.  
Ashlea Ball Ebeling, Esq.  
**Lukas McGowan Nace & Gutierrez, Chartered**  
1111 Nineteenth Street, N.W., Suite 1200  
Washington, D.C. 20036  
(202) 857-3500

Date: September 12, 1995

**CERTIFICATE OF SERVICE**

I, Cheri Skewis, a secretary in the law office of Lukas, McGowan, Nace & Gutierrez, hereby certify that I have, on this 12th day of September, 1995, caused to have hand delivered a copy of the foregoing Motion for Extension of Reply Comment

Date the following:

Chairman Reed E. Hundt  
Federal Communications Commission  
1919 M Street, NW, Room 814  
Washington, DC 20554

Commissioner James H. Quello  
Federal Communications Commission  
1919 M Street, NW, Room 802  
Washington, DC 20554

Commissioner Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, NW, Room 826  
Washington, DC 20554

Commissioner Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, NW, Room 844  
Washington, DC 20554

Commissioner Susan Ness  
Federal Communications Commission  
1919 M Street, NW, Room 832  
Washington, DC 20554

Regina Keeney, Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW, Room 5002  
Washington, DC 20554

John Cimko, Jr., Chief  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW, Room 5002  
Washington, DC 20554

Larry Atlas  
Associate Bureau Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW, Room 5002  
Washington, DC 20554

Martin D. Liebman  
Engineer  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, NW, Room 5202  
Washington, DC 20554

  
\_\_\_\_\_  
Cheri Skewis