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

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 322)	GN Docket No. 93-252
of the Communications Act)	
Regulatory Treatment of Mobile Services)	
)	
Implementation of Section 309(j))	PP Docket No. 93-253
of the Communications Act --)	
Competitive Bidding)	

ORDER

Adopted: June 13, 1996

Released: June 13, 1996

By the Chief, Commercial Wireless Division:

1. We have received requests from The Southern Company ("Southern"), Entergy Services, Inc. ("Entergy"), and the American Mobile Telecommunications Association, Inc. ("AMTA")¹ for an extension of time for licensees who wish to file extended implementation

¹ AMTA has filed its motion on behalf of its membership and Nextel Communications, Inc., Pittencrieff Communications, Inc., DCL Associates, Atlantic Cellular Company, L.P., Centennial Telecommunications, Inc., D&L Communications, Inc., Davis Electronics, Inc., Hawaiian Wireless, Inc., Industrial Communications & Electronics, Inc., Palmer Communications, Inc., d/b/a Illowa Communications, Potomac Corporation d/b/a Crescent Communications, William R. Miller d/b/a Russ Miller Rental, New England Wireless Partners, Norcal Wireless, Radiophones, JV, Spectrum Resources, Inc., Spectrum Resources of the Midwest, Inc., Western Wireless, Mobex Idaho, Inc., and Mobex North Carolina, Inc.

rejustifications as required by the *800 MHz SMR Report and Order*.² Southern and Entergy request that the Commission extend the deadline for filing extended implementation rejustifications by thirty days, until July 17, 1996.³ AMTA requests that the Commission extend the deadline for filing extended implementation rejustifications until July 15, 1996.⁴ No opposition to these requests has been filed to date.

2. Southern, Entergy, and AMTA seek an extension based on the Public Notice, issued by the Wireless Telecommunications Bureau ("Bureau") on June 4, 1996, which outlined the information to be provided by 800 MHz SMR licensees seeking to retain extended implementation authority.⁵ All three movants argue that prior to the release of the Public Notice, they were unaware of the scope of information required of them, and release of the Public Notice less than two weeks before the June 17, 1996, filing deadline leaves licensees with an insufficient amount of time in which to collect the requested information.⁶ They further emphasize that collecting the information will require additional time due to the size and complexity of the rejustifying systems and the variety of licensing processes used to create these systems.⁷

3. In light of the concerns raised by Southern, Entergy, and AMTA we believe that the public interest would be served by granting an extension of time to enable licensees to compile the information requested by the *Rejustification Public Notice*.⁸ Nevertheless, this extension of time to file will not affect the timing or duration of any extended implementation grant that may be granted by the Bureau. Thus, the six month minimum and two year maximum periods will continue to toll from the dates established in the *800 MHz SMR Report*

² Amendment of Part 90 of the Commission's Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band, PR Docket No. 93-144, *First Report and Order, Eighth Report and Order, and Second Further Notice of Proposed Rule Making*, 11 FCC Rcd 1463, 1525, ¶ 111 (1995) ("*800 MHz SMR Report and Order*"); see also 47 CFR § 90.629(e).

³ Southern Motion at 1 (filed June 6, 1996); Entergy Motion at 1 (filed June 6, 1996).

⁴ AMTA Motion at (filed June 10, 1996).

⁵ See Recommended Filing Format for 800 MHz SMR Licensees Rejustifying Need for Extended Implementation Authority, DA 96-894, (June 4, 1996) ("*Rejustification Public Notice*").

⁶ AMTA Motion at 3-4; Entergy Motion at 5; Southern Motion at 4.

⁷ AMTA Motion at 3; Entergy Motion at 5.

⁸ We do not believe that Public Notice asked for any information not contemplated in the *800 MHz SMR Report and Order* or Section 90.629(e) of the Commission's rules.

*and Order.*⁹ With the above-mentioned conditions, we believe that an extension for filing extended implementation rejustifications is appropriate.

4. Accordingly, IT IS HEREBY ORDERED that the Motions of Extension of Time filed by The Southern Company, Entergy Services, Inc., and the American Mobile Telecommunications 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 extended implementation rejustifications in this proceeding is extended from June 17, 1996 to July 15, 1996.

FEDERAL COMMUNICATIONS COMMISSION



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

⁹ 800 MHz SMR Report and Order, 11 FCC Rcd at 1525-26, ¶¶ 112-13; see also 47 CFR § 90.629(e).