

FCC MAIL SECTION

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Federal Communications Commission

DA 97-210

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

- Review of the Commission's Regulations) MM Docket No. 94-150 ✓
Governing Attribution of Broadcast and)
Cable/MDS Interests)
- Review of the Commission's Regulations) MM Docket No. 92-51
and Policies Affecting Investment in the)
Broadcast Industry)
- Reexamination of the Commission's) MM Docket No. 87-154
Cross-Interest Policy)
- Review of the Commission's Regulations) MM Docket No. 91-221
Governing Television Broadcasting)
- Television Satellite Stations Review of) MM Docket No. 87-8
Policy and Rules)
- Broadcast Television National Ownership) MM Docket No. 96-222
Rules)
- Newspaper/Radio Cross-Ownership) MM Docket No. 96-197
Waiver Policy)

ORDER EXTENDING TIME FOR FILING REPLY COMMENTS

Adopted: January 30, 1997

Released: January 30, 1997

Comment Date: February 7, 1997

Reply Comment Date: March 21, 1997

By the Chief, Mass Media Bureau

1. On November 5, 1996, the Commission adopted three related rulemaking items regarding national and local ownership of television stations and attribution of broadcast and cable/MDS ownership interests. Notice of Proposed Rule Making in MM Docket Nos. 96-222, 91-221, and 87-8, FCC 96-437 (released November 7, 1996) (national ownership proceeding); Second Further Notice of Proposed Rule Making in MM Docket Nos. 91-221 and 87-8, FCC 96-438 (released November 7, 1996) (local ownership proceeding); Further Notice of Proposed Rule

Making in MM Docket Nos. 94-150, 92-51, and 87-154, FCC 96-436 (released November 7, 1996) (attribution proceeding). Comments in all three of these proceedings are currently due by February 7, 1997, and reply comments are currently due by March 7, 1997. In addition, on September 17, 1996, the Commission adopted a Notice of Inquiry regarding its policy for waiving its newspaper/radio cross ownership restriction. Notice of Inquiry in MM Docket 96-197, 11 FCC Red 13003 (1996). Comments in that proceeding were initially due to be filed by December 9, 1996, and reply comments by January 8, 1997. By Order released December 5, 1996, the Commission extended the comment and reply comment deadlines in that proceeding to coincide with the comment and reply comment deadlines in the national ownership, local ownership, and attribution proceedings. In so doing, the Commission reasoned that the issues raised in the newspaper/radio cross ownership proceeding were similar to those raised in the other three rulemaking proceedings, and that it was appropriate that the four proceedings share the same comment and reply comment deadlines to facilitate the development of a more comprehensive record.

2. On January 17, 1997, the Media Access Project (MAP), on behalf of a number of other organizations, filed a request for a thirty day extension of both the comment and reply comment deadlines in the national ownership, local ownership, and attribution proceedings. In the alternative, in the event the Commission declines to grant this request, MAP requests a forty-five day extension of the reply comment deadline in the three proceedings. In support of its request, MAP argues that each of the rulemaking proceedings involves matters of great importance, and that the short comment and reply comment periods create an onerous workload for parties interested in filing comments, especially counsel for members of the public which have limited staff and resources. Because the comment and reply comment deadlines in the three proceedings coincide, MAP argues that it will be difficult thoroughly to address the issues raised in each of the separate proceedings. MAP claims this difficulty is especially pronounced with respect to preparation of reply comments, as commenters will have only one month in which to read and respond to the initial comments filed in all three proceedings. Finally, MAP notes that there are a number of other unrelated proceedings currently before the Commission with similar comment deadlines in which MAP is participating, further straining its resources.

3. As set forth in Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, it is our policy that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted. We gave interested parties three months in which to prepare and file initial comments in the three proceedings for which MAP requests extensions, and we continue to believe this amount of time is adequate to permit development of a comprehensive record. However, given the total number of comments we expect to receive in the three proceedings, the complexity of the issues involved, and the interrelated issues raised by the three proceedings, we believe it is appropriate to grant an additional 14 days in which to file reply comments. While this is not as long as MAP's alternative request to extend the reply comment deadline, we believe a 14 - day extension is sufficient in that it will give parties a total of 45 days after the initial comments are filed in which to file reply comments. Although MAP did not request an extension of time with respect to the newspaper/radio cross ownership proceeding, we also, on our own motion, extend the reply comment deadline in that proceeding to maintain a concurrent schedule

for all four proceedings.

4. Accordingly, IT IS ORDERED that the Request for Extension of Time to Submit Comments and Reply Comments filed in MM Docket Nos. 94-150, 92-51, 87-154, 91-221, 87-8, and 96-222 by MAP is granted to the extent detailed herein.

5. IT IS FURTHER ORDERED that the time for filing reply comments in the above-captioned proceedings is extended to **March 21, 1997**.

6. This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r), and Sections 0.204(b), 0.283, and 1.45 of the Commission's rules, 47 C.F.R. §§ 0.204(b), 0.283, and 1.45.

FEDERAL COMMUNICATIONS COMMISSION


Roy J. Stewart
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