

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

In the Matter of)
)
Implementation of Section 304 of the) CS Docket No. 97-80
Telecommunications Act of 1996)
)
Commercial Availability of)
Navigation Devices)

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MAY 19 1997

Federal Communications Commission
Office of Secretary

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MOTION TO FILE COMMENTS ONE DAY LATE

Echelon Corporation ("Echelon"), by its attorneys, respectfully moves the Commission, pursuant to Section 1.46(b) of the Commission's rules, 47 C.F.R. § 1.46(b), for leave to file the attached comments on the Notice of Proposed Rulemaking ("NPRM") released in the captioned proceeding one day late.

Echelon's comments were completed prior to the filing deadline, but mechanical photocopying difficulties delayed the production of sufficient copies for submission to the Secretary until just minutes after 5:30 p.m. on Friday, May 16, 1997. The comments and this motion are being filed before 10:00 a.m. on Monday morning, May 19, 1997, so that the Commission, Commission Staff and all interested parties will in no way be inconvenienced by the inadvertent delay and will be able to obtain Echelon's comments from the Commission's contract copier along with those filed on Friday afternoon in this docket.

The Commission's inclusion of the comments in the record is in the public interest, will not prejudice interested parties, and will provide input that will allow the Commission to more completely examine the issues raised in its NPRM. Echelon has

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been active on navigation device and standards issues before the Commission for several years, and its comments provide important information on the issues of interpretation of the Telecommunications Act of 1996 included in the NPRM.

Respectfully submitted,

By:  _____

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Dated: May 17, 1997.