

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 15 of the Commission’s Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and)	ET Docket No. 14-165
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)	
Amendment of Part 74 of the Commission’s Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap)	
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)	
Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions)	GN Docket No. 12-268
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)	
Promoting Spectrum Access for Wireless Microphone Operations)	GN Docket No. 14-166
)	

MOTION FOR EXTENSION OF TIME TO FILE COMMENTS

Pursuant to Section 1.46 of the Commission’s Rules, 47 C.F.R. § 1.46, Shure Incorporated (“Shure”), by its undersigned counsel, hereby respectfully requests an extension of the deadline for filing comments in the above-referenced proceedings, as set forth in the Commission’s two separate but related Notices of Proposed Rulemaking published in the *Federal Register* on November 21, 2014.¹ For the reasons set forth herein, Shure requests a 45-

¹ See *In the Matter of Amendment of Part 15 of the Commission’s Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and Amendment of Part 74 of the Commission’s Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap, et al.*, ET Docket No. 14-165, GN Docket No. 12-268, Notice of Proposed Rulemaking, FCC14-144 (rel. Sept. 30, 2014) (“*White Spaces NPRM*”) 79 Fed. Reg. 69,710 (Nov. 21, 2014); *In the Matter of Promoting Spectrum Access for Wireless Microphone Operations, et al.*, GN Docket Nos. 12-268, 14-16, Notice of Proposed Rulemaking, FCC 14-145 (rel. Sept. 30, 2014) (“*Wireless Microphone NPRM*”) (collectively, the “*NPRMs*”); 79 Fed. Reg. 69,387 (Nov. 21, 2014). Currently, comments related to the NPRMs are due on January 5, 2015, and reply comments are due on January 26, 2014.

day extension of the deadlines, such that comments would be due by February 19, 2015, and reply comments would be due by March 12, 2015.

Good cause exists for the Commission to modify the *NPRMs*' filing deadlines. As discussed below, the two companion *NPRMs* together propose rules that, if adopted in large part, would dramatically alter wireless microphone operations and virtually restructure the entire wireless microphone industry in the United States. An extension is warranted because the Notices propose many substantial changes in technical and operational rules that will require significant evaluation, testing and analysis. In addition, the filing periods encompass the winter holidays when many team members will be out of the office and traveling. Further, grant of the requested modest extension of time will not cause prejudice or hardship to any interested parties or to the Commission. Shure recognizes that the Commission does not routinely grant filing extensions,² but the Commission has done so when necessary to give parties a meaningful opportunity to consider technically complex and extensive issues and to develop a complete record for the Commission's consideration.³

I. The *NPRMs* Present Complex Technical and Operational Issues that Will Permanently Affect Wireless Microphone Interests.

The *Whitespaces NPRM* and the *Wireless Microphone NPRM* each raises distinct substantial and complex technical issues the regulatory treatment of which will permanently shape the future of wireless microphone technology and operations in the United States. These

² See 47 C.F.R. § 1.46(a).

³ See, e.g., *In the Matter of Revisions to Rule Authorizing the Operation of Lower Power Auxiliary Stations in the 698-806 MHz Band, et al.*, WT Docket Nos. 08-166, 08-167; ET Docket No. 10-24, Order (DA 12-1841) (granting extension of time to allow parties additional time to consider and discuss the complex issues in the wireless microphone proceeding and to fully evaluate and take into accounts intertwined issues in related proceedings). *Office of Engineering and Technology Extends Comment Period for Methodology for Predicting Potential Interference Between Broadcast Television and Wireless Services*, GN Docket No. 12-268; ET Docket No. 14-14, Public Notice, DA 14-254 (Feb. 26, 2014) (extending the comment period to allow commenters additional time to review the technical contents of the Public Notice).

proceedings will also determine what happens to an extensive field of embedded wireless microphone equipment in the United States. The outcome of these proceedings will have an immediate and long-term impact on wireless microphone manufacturers, large and small, as well as users across a broad range of industry sectors -- broadcast, music, theater, sports, education, worship, hospitality,, and government -- all of whom may be faced with significant economic costs and technology dislocation based on new rules developed in these proceedings.

The *Whitespaces NPRM* seeks input on proposed rules for unlicensed operation of white space devices and microphones in the reconstituted TV bands and repurposed 600 MHz Band following the completion of the incentive auction. As the Commission itself recognizes, the spectrum repurposing set forth in the *Incentive Auction R&O* “will significantly alter the regulatory landscape for unlicensed white space devices and wireless microphones” that rely heavily on access to unused television band channels.⁴ The NPRM includes numerous specific proposals that, if adopted, would modify permissible operations (as between wireless microphones, licensed and unlicensed, and white space devices, portable and fixed) in the guard bands, duplex gap, channel 37, channels 14-20, and the remaining TV broadcast spectrum after rebanding. The item proposes changes to permissible powers, antennas heights, out-of-band emission limits, separation distances, operations in rural areas, and changes in geolocation database requirements. The NPRM also seeks input on transition rules that affect equipment certification compliance and establishes cut-off dates that will directly impact the vast population of users that have equipment that may be rendered unusable solely by virtue of the Commission’s regulatory decisions in this proceeding. It is worth noting that the *White Spaces NPRM* proposes dramatic modification to the set of rules that were only relatively recently

⁴ *Whitespaces NPRM* at ¶ 1. See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 299 FCC Rcd 6567 (2014) (“*Incentive Auction R&O*”).

adopted after several years of difficult technical and regulatory examination and testing during which the wireless microphone community invested significant time and resources to participate and adapt.

Throughout the *White Spaces NPRM*, the Commission encourages participants to submit “detailed technical analysis” to justify their assessment of the proposals and the implications of the significant technical and operational modifications proposed.⁵ The requested additional time is warranted to permit commenters to evaluate and, in some cases, test the impact of the many proposed rule changes and to develop meaningful responses and counterproposals. Without the requested additional time, it will be difficult to develop a full record that would support Commission action.

The companion proceeding, the *Wireless Microphone NPRM*, commences a sweeping inquiry that seeks input on the short term and long term future needs of the wireless microphone community in light of the reduction in available UHF frequencies.⁶ Specifically, the *NPRM* explores “additional steps that the Commission can take so that wireless microphone users can have access in the coming years to a suite of devices operating in different spectrum bands that can address” their needs.⁷ The *Wireless Microphone NPRM* poses myriad questions on a wide range of market, application, spectrum, technology, equipment and technical issues. Among other issues, the Commission seeks comment on the potential for wireless microphones to

⁵ *Whitespaces NPRM* at ¶ 13. To provide just a few examples, the Commission requests technical analysis or test data to support recommendations regarding appropriate power levels for fixed devices. *Id.* at ¶ 36. Commenters are encouraged to provide detailed technical justification to support, oppose or modify proposed power spectral density (“PSD”) limits and the methodologies used to calculate PSD limits. *Id.* at ¶ 43. Commenters suggesting modifications to proposed protection and separation distances in different bands are asked to provide detailed technical criteria and meaningful analysis to justify their positions. *Id.* at ¶¶ 68, 120, 136, 142, 144. The Commission requests technical input on power level, frequency separation and other technical requirements necessary to protect wireless downlink services adjacent to the Channel 37 guard bands. *Id.* at ¶ 125. In a catch all request, the Commission seeks comment on whether any other technical requirements need to be specified for unlicensed wireless microphones. *Id.* at ¶ 157]

⁶ *Wireless Microphone NPRM* at ¶ 2.

⁷ *Id.* at ¶ 30.

operate on a multiple additional/alternative frequency bands with modified rules including VHF/UHF frequencies, 1435-1525 MHz, 941-960 MHz, 3.5 GHz, 26.100-26.480 MHz, 161.625 MHz-161.775 MHz, 450-451 MHz, 455-456 MHz, 88-108 MHz, 169-172 MHz, unlicensed bands (902-928 MHz, 2.4 GHz, and 5 GHz), 1920-1930 MHz, and 6875-7125 MHz and ultrawideband spectrum. For each spectrum band being examined, the NPRM seeks input on a host of distinct technical, operational and regulatory parameters. Responses to the *Wireless Microphone NPRM* will necessarily require a substantial analysis of multiple spectrum bands, assessing the technical feasibility of wireless microphone operations in those bands while evaluating potential detrimental impacts of and on incumbent and adjacent operations. Further, the *Wireless Microphone NPRM* requests extensive responses on current and future wireless microphone uses across a wide range of applications, advances in wireless microphone technology and efficiency gains, the development of digital microphones, and transition issues including proposed new point-of-sale disclosure notification requirements and unprecedented new obligations on manufacturers in facilitating the transition.

II. Conclusion

Given the complexity of the legal, technical, and operational issues presented in the two *NPRMs* and the importance of the FCC's decision in these proceedings, as well as the substantial, enduring impact on the entire wireless microphone community, a narrow 45-day comment window (that encompasses several major holidays) is extremely burdensome and does not provide adequate time to develop a comprehensive record in both proceedings. The 45-day extension requested will not unduly delay resolution of the issues raised in this proceeding or the Commission's Incentive Auction⁸ or cause prejudice or hardship to any party. Accordingly, for

⁸ See FCC Blog, Oct. 24, 2014, Incentive Auction Report By Gary Epstein, Chair of the FCC's Incentive Auction Task Force (announcing delay in incentive auction to early 2016).

good cause having been shown, Shure urges the Commission to grant the foregoing request for a 45-day extension of the deadline for filing comments and reply comments such that comments would be due by February 19, 2015, and reply comments would be due by March 12, 2015.

Respectfully Submitted,

/s/ Catherine Wang
Catherine Wang
Denise Wood
Morgan, Lewis & Bockius LLP
2020 K Street, NW
Washington, DC 20006
Tel. 202-373-6000
Fax. 202-373-6001
catherine.wang@morganlewis.com

Counsel for Shure Incorporated