

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

In the Matter of)	
)	
Amendment of Part 0, 1, 2, 15 and 18 of the Commission’s Rules regarding Authorization Of Radiofrequency Equipment)	ET Docket No. 15-170
)	
Request for the Allowance of Optional Electronic Labeling for Wireless Devices)	RM-11673
)	

JOINT REQUEST FOR EXTENSTION OF COMMENT DEADLINE

The Telecommunications Industry Association¹ (TIA) and the Information Technology Industry Council² (ITI), hereby respectfully submit this request for an extension of the comment and reply comment deadlines in the above-captioned proceedings,³ which due to publication in the Federal Register are currently set for September 8, 2015 and September 17, 2015, respectively.⁴ A 30-day extension to the comment deadline and a 15- day extension to the reply comment deadline are in the public interest to allow key industry stakeholders to develop

¹ TIA is the leading trade association for the information and communications technology (“ICT”) industry, representing companies that manufacture and supply the products and services used in global communications across all technology platforms, representing its members on the full range of policy issues affecting the ICT industry and forges consensus on industry standards. TIA’s hundreds of members rely heavily on the Commission’s equipment approval process to compete and to satisfy end-user demands for innovative ICT products and services. See <http://www.tiaonline.org/>.

² The Information Technology Industry Council represents the leading providers of information and communication technology (ICT) products and services. ITI is the voice of the high tech community, advocating policies that advance industry leadership in technology and innovation; open access to new and emerging markets; promote e-commerce expansion; protect consumer choice; and enhance the global competitiveness of its member companies. For more information visit: www.itic.org.

³ *Amendments of Parts 0, 1, 2, 15 and 18 of the Commission’s Rules regarding Authorization of Radiofrequency Equipment*, Notice of Proposed Rulemaking, ET Docket No. 15-170, RM-11673 (rel. July 21, 2015) (“NPRM”).

⁴ See *Equipment Authorization and Electronic Labeling for Wireless Devices*, 80 Fed. Reg. 46900 (August 6, 2015).

meaningful, substantive responses to the extensive and technical questions raised by the Commission in this proceeding.

In particular, we seek an extension of time to permit interested parties to analyze the complicated and diverse technical issues raised by these proceedings. In the NPRM, the Commission has sought comment on proposals to (1) combine two separate Declaration of Conformity and verification product approval programs into one product self-approval program; (2) codify and clarify the provisions for certification of modular transmitters, including those in products used for Commission licensed radio services, as well as for radios where the radiofrequency parameters are controlled by software; (3) clarify responsibilities for compliance when a final product may be comprised of one or more certified modular transmitters; (4) codify existing practices that protect the confidentiality of market-sensitive information; (5) codify and expand existing guidance for electronic labeling; (6) eliminate unnecessary or duplicative rules and consolidate rules from various specific rule parts into the equipment authorization rules in Part 2; and (7) discontinue the requirement that importers file FCC Form 740 with Customs and Border Protection for radio frequency (RF) devices that are imported into the United States. These questions address matters that raise a wide range of equipment approval issues of a technical, legal, and practical nature, impacting a diverse set of stakeholders, each of whom will need to closely analyze and consider the potential effect of the rule changes being considered. The requested extension is in the public interest because it will allow all parties to submit more comprehensive responses, leading to a better developed record upon which the Commission can base its decisions in this proceeding.

The Commission's equipment authorization rules have been developed to provide increased efficiency and regulatory certainty, important factors towards encouraging investment

and innovation by the manufacturers of ICT. We are on the record as key partners in pursuing these goals,⁵ and appreciate the Commission's consultative approach and continuing efforts in this matter. These proposed changes directly impact the tens of thousands of ICT products that must undergo the Commission's Authorization process before marketing and sale is legal. Therefore, we ask the Commission to take into consideration the fact that our members require more than 30 days to adequately determine industry consensus comments, and more than 15 further days to further formulate reply comments.

Furthermore, the equipment approval process changes contemplated in the NPRM are closely linked to the Commission's ongoing consideration of very recent changes updating the Commission's RF equipment authorization program to build on the success realized through the use of Commission-recognized Telecommunications Certification Bodies (TCBs),⁶ which TIA has submitted an unresolved Petition for Reconsideration and/or Clarification.⁷ Therefore, we also urge for an extension to ensure that we can also fully consider these important related issues.

We are aware that the Enhance Labeling, Accessing, and Branding of Electronic Licenses Act (E-LABEL Act) requires the Commission to take appropriate action to implement the E-LABEL Act by August 26, 2015.⁸ Therefore, we suggest that the Commission may wish to extend the comment period for aspects of the NPRM other than those addressing the implementation of the E-LABEL Act to make sure that it is positioned to satisfy Congressional

⁵ See, e.g., *Comments of the Telecommunications Industry Association*, ET Docket No. 13-44, RM-11652 (filed June 17, 2013).

⁶ See *Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules regarding Authorization of Radiofrequency Equipment; Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies*, Report and Order, 29 FCC Rcd 16335 (2014).

⁷ See *Petition for Clarification and/or Reconsideration*, ET Docket No. 13-44, RM-11652 (filed July 13, 2015).

⁸ Enhance Labeling, Accessing, and Branding of Electronic Licenses Act of 2014, Pub. L. No. 113-197 (Nov. 26, 2014).

deadlines while also ensuring that sufficient time is allowed for consideration of the important equipment authorization reforms elsewhere in the NPRM.

We recognize that requests to extend filing deadlines are not routinely granted, but the Commission has previously concluded that an extension is warranted when such an extension is necessary to ensure that the Commission receives full and informed responses and that affected parties are given a meaningful opportunity to develop a complete record for the Commission's consideration.⁹ In particular, the Commission has found such extensions to be warranted in proceedings that raise complex technical issues.¹⁰ Based on the above, we believe that the proposed extension of time is appropriate under these precedents and will permit interested parties to incorporate a greater level of technical specificity into their comments and reply comments.

⁹ See, e.g., *Wireless Telecommunications Bureau and Office of Engineering and Technology Extend Period to File Comments and Reply Comments in Response to Notice of Inquiry on Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, Public Notice, DA 14-1703 (WTB/OET 2014) (stating that “we agree that an extension of time to file comments and reply comments is warranted to ensure that the Commission obtains a complete and thorough record”); *Wireless Telecommunications Bureau Grants Extension of Time to File Reply Comments on Commercial Mobile Radio Services Market Competition*, Public Notice, WT Docket No. 09-66, DA 09-1419 (WTB rel. June 24, 2009) (granting 14-day extension in order for “development of a complete record on the issues”); *Media Bureau Grants Extension of Time to File Comments and Reply Comments In Response to Broadcast Localism Notice of Proposed Rulemaking*, Public Notice, MB Docket No. 04-233, DA 08-515 (MB 2008) (“we agree that an extension of the comment and reply comment period is warranted to enable commenters to adequately review, investigate, and comment on the specific issues raised in the NPRM and respond to the extensive comments filed in response thereto.”).

¹⁰ See, e.g., *Wireless E911 Location Accuracy Requirements*, Order, 29 FCC Rcd 5923, ¶ 3 (PSHSB 2014) (“Specifically, we find that extension of the reply comment deadline . . . is warranted to provide commenters with sufficient time to prepare reply comments that fully respond to the complex technical, economic, and policy issues raised in the *Third Further Notice* and comments filed thereafter.”); *Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band*, Order, 27 FCC Rcd 14162, ¶¶2-3 (WTB/OET 2012) (noting petitioners’ statement that the proceeding “involves complex technical and operational issues” and finding that “providing an extension will serve the public interest by allowing all parties additional time to consider and discuss the complex issues in the wireless microphone proceeding.”).

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