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April 9, 1999

VIA HAND DELIVERY

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

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APR 09 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: In the Matter of Amendment of Parts 2 and 97 of the Commission's Rules to Create a Low Frequency Allocation for the Amateur Radio Service, RM-9404

Dear Ms. Salas:

On behalf of Commonwealth Edison Company ("Com Ed"), transmitted herewith is an original and four copies of the Response of ComEd to the Motion to Strike filed by the American Radio Relay League in the above-referenced proceeding.

A "Return Copy" of this filing is also enclosed. Kindly date stamp the "Return Copy" and return it to the courier in the enclosed envelope.

If you have any questions regarding this filing, please do not hesitate to contact the undersigned counsel.

Respectfully submitted,

Carole C. Harris

Carole C. Harris

Enclosures

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

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In the Matter of)
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Commission's Rules to Create a Low)
Frequency Allocations for the)
Amateur Radio Service)
)

RM-9404

RESPONSE OF COMMONWEALTH EDISON TO MOTION TO STRIKE

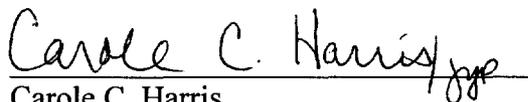
Pursuant to Section 1.415 of the Rules of the Federal Communications Commission ("FCC" or "Commission"), Commonwealth Edison ("ComEd") through its undersigned attorney, respectfully submits this Response to the Motion to Strike filed by the American Radio Relay League ("ARRL"). The ARRL's Motion fails to demonstrate any prejudice resulting from the late filing of ComEd's Reply Comments. Rather, the Commission's consideration of ComEd's Reply Comments is in the public interest.

The ARRL argues that the consideration of ComEd's Reply Comments would cause delay in this proceeding. Because of the interference issues raised by the ARRL's Petition, however, the public interest demands that all viewpoints regarding the Petition for Rulemaking be aired before the Commission. Further, there is no evidence that the short Reply Comments submitted by ComEd would cause any delay in the Commission's resolution of the ARRL's Petition.

Additionally, the ARRL's contention that it has been prejudiced by being denied the opportunity to respond is belied by its lengthy, substantive response to ComEd's Reply Comments. With its recent submission, the ARRL in fact responded to not only the Reply Comments filed by ComEd, but also to comments filed by several other parties. Accordingly, the ARRL has suffered no prejudice from the Commission's consideration of ComEd's Reply Comments.

Any ruling on the Petition for Rulemaking filed by the ARRL will have a significant effect upon electric utilities such as ComEd, and the Commission should be aware of the issues particular to those utilities. Exclusion of the view of ComEd would be contrary to the public interest in conducting a comprehensive and open discussion of the issues raised by the Petition. Accordingly, ComEd respectfully requests that the Commission deny the ARRL's Motion to Strike and consider the late-filed Reply Comments filed by ComEd and others in this proceeding.

Respectfully submitted,



Carole C. Harris
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Attorney for **COMMONWEALTH EDISON**

Dated: April 9, 1999

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Response of Commonwealth Edison to Motion to Strike has been served on the parties listed below by first-class mail, postage prepaid, on this 9th day of April, 1999:

Ms. Magalie R. Salas
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Federal Communications Commission
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