

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

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In the Matter of)
)
JAMES A. KAY, JR.)
)
Licensee of 152 Part 90 Stations in the)
Los Angeles, California Area)

WT DOCKET NO. 94-115

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SEP 29 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

**WIRELESS TELECOMMUNICATIONS BUREAU'S
MOTION FOR EXTENSION OF PAGE LIMITATION**

1. The Chief, Wireless Telecommunications Bureau, by his attorneys, requests that the page limitation set forth in Section 1.277(c) of the Commission's Rules, relating to the filing exceptions to initial decisions, be extended in this proceeding. As demonstrated below, the extension of the page limitation from 25 pages to 35 pages is necessary so that the Bureau may adequately advance its exceptions to the *Initial Decision of Administrative Law Judge Joseph Chachkin*, FCC 99D-04 (released September 10, 1999).

2. Section 1.277(c) of the Commission's Rules limits the length of exceptions to initial decisions to 25 pages. The Commission has recognized, however, that extensions of that page limitation may be appropriate, "particularly in important cases." *Proposals to Reform the Commission's Comparative Hearing Process to Expedite the Resolution of Cases*, 6 FCC Rcd 3403, 3404 (1991). In this case, an extension of the page limitation is warranted because this case has a complex and extensive record and involves multiple hearing issues.

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3. The record in this proceeding is voluminous and complex. It consists of well over 300 exhibits that were admitted into evidence, approximately 2500 pages of transcripts (including prehearing conferences, an evidentiary admissions session, and hearing transcripts). The Commission's Electronic Filing Comment System contains a total of 514 records in this docketed proceeding. The I.D. also makes extensive reference to material which is not in the record in this proceeding, but is in the record of the Marc Sobel proceeding, WT Docket No. 97-56. The size and complexity of the record, by itself, justifies the ten page extension of the page limitation sought by the Bureau. Furthermore, this proceeding involves multiple issues, each of which requires substantial independent discussion.

4. Given the number and complexity of the issues, the size of the record, and the protracted procedural history in this proceeding, a ten page extension of the normal page limitation will allow the Bureau to provide the Commission with a clear, succinct, and

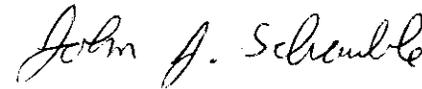
comprehensive presentation of its exceptions to the I.D. in this proceeding. Counsel for Kay has been informed of the filing of this motion.

5. Accordingly, the Bureau respectfully requests that the Commission extend the page limitation to 35 pages for the filing of exceptions in this case.

Respectfully submitted,
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Chief, Wireless Telecommunications Bureau



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September 29, 1999

CERTIFICATE OF SERVICE

I, John J. Schauble, an attorney in the Enforcement and Consumer Information Division, Wireless Telecommunications Bureau, certify that I have, on this 29th day of September, 1999, sent by facsimile (unless otherwise indicated), copies of the foregoing "Wireless Telecommunications Bureau's Motion for Extension of Page Limitation" to:

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