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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Reallocation of the 216-220 MHz,)
1390-1395 MHz, 1427-1429 MHz,)
1429-1432 MHz, 1432-1435 MHz,)
1670-1675 MHz, and 2385-2390 MHz)
Government Transfer Bands)

ET Dkt. No. 00-221
RM-9854

OPPOSITION TO REQUEST FOR EXTENSION OF TIME

Itron, Inc. ("Itron"), by its attorneys, hereby opposes the request (the "Request") filed by the Land Mobile Communications Council ("LMCC") for an extension of time to file comments and reply comments in this proceeding.

DISCUSSION

LMCC asks that the Commission extend the comment period in this proceeding by sixty (60) days, and the reply comment period by thirty (30) days. That is, LMCC is proposing a comment cycle of 150 days, or nearly six months. In support of this Request, LMCC offers nothing more than its generalized concern regarding the "magnitude of the proceeding and its profound impact on the industries involved." See Request at 2. That is not enough to warrant the vast expansion of the comment period sought by LMCC.

It is the policy of the Commission that extensions of time are not routinely granted. 47 C.F.R. § 1.46(a). There is no reason to deviate from that policy in this case. Unlike other cases in which the Commission has granted motions for extension of time, LMCC has not shown any exigent circumstances, or any other reason that it would not be able to file comments and reply comments within the established time limits. Cf. Main Studio and Local Public Inspection Files, 12 FCC Rcd 10522 (1997) (denying request for extension of time where no showing that "an emergency exists or that it

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would be impossible to file any comment"). Instead, LMCC has, in effect, based its Request on the importance of the issues raised in the NPRM.

There are, no doubt, important decisions to be made by the Commission in this proceeding. That fact, however, argues against further delay rather than in favor of it. Indeed, contrary to the suggestion of LMCC, additional delay in this proceeding is unwarranted and unnecessary.

To begin with, LMCC has not shown that it will be unusually burdensome for parties to comment on the NPRM in this matter. Although the issues raised are significant, the same can be said for most Commission rulemaking notices. Indeed, unlike many other Commission proceedings, the proposals contained in the NPRM are based on proposals that were submitted in the first instance by interested parties — including LMCC. LMCC should, therefore, be well acquainted with the many of the issues raised and have well developed positions on those issues.

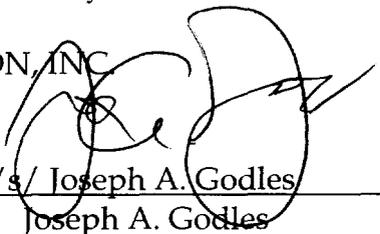
Second, although the comment period did not begin to run in this proceeding until January 23, 2001 (when the NPRM was published in the Federal Registrar), the NPRM itself was released by the Commission on November 20, 2000. Interested parties thus will have ninety-four (94) days to evaluate and comment upon the proposals in the NPRM. Parties will then have an additional thirty (30) days to file reply comments and, if it becomes necessary to supplement the record following the reply comment period, the Commission's rules allow for the filing of *ex parte* presentations. There is, therefore, ample time for all concerned to contribute to a full and complete record in this matter.

Finally, there is no basis to extend the period for the filing of reply comments. At this time, it is entirely speculative for LMCC to assert that it will require additional time to reply to comments that have not yet even been filed.

For the foregoing reasons, the Commission should deny the LMCC Request.

Respectfully submitted,

ITRON, INC

By:  _____
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Its Attorneys

February 2, 2001

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposition to Request for Extension of Time was sent by hand delivery, this 2nd day of February, 2000, to each of the following:

Mark E. Crosby
Land Mobile Communications Council
1110 North Glebe Road
Suite 500
Arlington, VA 22201

1s/ Candace Gentry
Candace Gentry