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**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

**MAY 11 2001**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

In the Matter of	)	<b>DOCKET FILE COPY ORIGINAL</b>
	)	
Review of the Commission's Regulations Governing Television Broadcasting	)	MM Docket No. 91-221
	)	
Television Satellite Station Review of Policy and Rules	)	MM Docket No. <u>87-8</u>

**MOTION FOR EXTENSION OF TIME TO OPPOSE SINCLAIR BROADCASTING  
GROUP, INC.'S EMERGENCY PETITION FOR STAY**

Pursuant to 47 C.F.R. § 1.46, the Office of Communication, Inc. of United Church of Christ, Black Citizens for a Fair Media, Center for Media Education, Civil Rights Forum, League of United Latin American Citizens, Philadelphia Lesbian and Gay Task Force, Washington Area Citizens Coalition Interested in Viewers' Constitutional Rights, Wider Opportunities for Women, and Women's Institute for Freedom of the Press ("UCC, *et al.*") respectfully request that the Commission extend the date for filing an opposition to the Emergency Petition for Stay ("Stay Petition") filed by Sinclair Broadcasting Group, Inc. ("Sinclair") in the above captioned proceeding. Under 47 C.F.R. § 1.45(d), the date for filing an opposition is May 11, 2001. As discussed below, UCC, *et al.* have demonstrated good cause for a brief extension to May 16, 2001.

UCC, *et al.* participated at every level in this rulemaking and are also an Intervenor in Sinclair's challenge to the underlying order in the D.C. Circuit. *See Sinclair Broadcast Group, Inc. v. FCC*, (D.C. Cir. Case No. 01-1079) (order dated May 4, 2001 granting UCC, *et al.*'s motion to intervene). Although Sinclair was well aware of UCC, *et al.*'s participation and interest in this matter, Sinclair did not serve UCC, *et al.* with the Stay Petition, or even notify

UCC, *et al.* of the filing. Indeed, Counsel for UCC, *et al.* did not become aware of the Stay Petition until yesterday, May 10, 2001, when Communications Daily reported that Sinclair had sought a stay of the rules. *See* COMM DLY, May 10, 2001. UCC, *et al.* acted promptly to obtain a copy of the twenty two page Stay Petition. However, it is not possible to prepare an adequate opposition in one day.

A short extension of the opposition date to May 16, 2001 would provide UCC, *et al.* with a reasonable amount of time to respond to Sinclair's contentions. Sinclair seeks to stay an order that was the result of eight years of compromise and measured deliberation. Given the substantial detrimental affect that a stay would have on the viewing public, other broadcasters who are following the rules, and the integrity of the Commission's rulemaking procedure, the Commission should at least hear the arguments in opposition to the Stay Petition before it makes its decision.

Moreover, a brief extension will not prejudice the interests of any of the parties involved. An extension of a few days will not detrimentally affect Sinclair's interests in this case. The deadline for Sinclair's termination of its LMAs is three months from now – August 6, 2001.<sup>1</sup> In contrast, denying an extension would unreasonably, immediately prejudice the interests of UCC, *et al.* UCC, *et al.* has a substantial interest in this proceeding and should be given the opportunity to adequately respond to Sinclair's contentions.

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<sup>1</sup> Sinclair's May 18, 2001 ultimatum threatening litigation if the Commission does not act by that date is an artificial and arbitrary deadline. *See* Petition at 2. Sinclair's bald intimidation should not enter the Commission's calculus when considering UCC, *et al.*'s extension request.

Based on the foregoing reasons, UCC, *et al.* respectfully request that the Commission extend the opposition date to Sinclair's Stay Petition to May 16, 2001.

Respectfully submitted,



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May 11, 2001

Counsel for UCC, *et al.*

## CERTIFICATE OF SERVICE

I, Fernando A. Bohorquez, Jr., an attorney at the Institute for Public Representation, do hereby certify that I have this 11th day of May 2001, mailed by first-class United States mail a copy of the foregoing "Motion For Extension of Time to Oppose Sinclair Broadcasting Group, Inc.'s Emergency Petition For Stay" to the following:

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Fernando A. Bohorquez, Jr.

Pursuant to 47 C.F.R. § 1.45(c), counsel for UCC, *et al.* orally notified Kathryn R. Schmeltzer of Shaw Pittman and Mary Beth Murphy, Chief of the Policy and Rules Division of the Commission, of UCC, *et al.*'s motion for an extension of time. In addition, counsel faxed an electronic copy of the motion to Ms. Schmeltzer and Ms. Murphy.