

Before the  
Federal Communications Commission  
Washington, D.C. 20554

2001 OCT -5 A 11:38

In the Matter of )  
)  
Flexibility for Delivery )  
of Communications by )  
Mobile Satellite Service Providers )  
in the 2 GHz Band, the L-Band, and the )  
1.6/2.4 GHz Band )  
)  
Amendment of Section 2.106 of the )  
Commission's Rules to Allocate Spectrum at )  
2 GHz for Use by the Mobile Satellite Service )

IB Docket No. 01-185 RECEIVED

ET Docket No. 95-18 ✓

**ORDER EXTENDING COMMENT PERIOD**

**Adopted: October 31, 2001**

**Released: October 31, 2001**

**Reply Comment Date: November 12, 2001**

By the Chief, Planning & Negotiations Division, International Bureau:

1. On October 26, 2001, the Cellular Telecommunications & Internet Association ("CTIA") filed to request a three-day extension of time to submit reply comments to the *Further Notice of Proposed Rulemaking* in the above-captioned proceeding from November 5, 2001 to November 8, 2001.<sup>1</sup> On October 29, 2001, Motient Services, Inc. ("Motient") filed to request a one week extension from November 5, 2001, to November 12, 2001.<sup>2</sup> For the reasons discussed below, we grant CTIA's, and Motient's requests and extend the reply comment period to November 12, 2001.

2. The due date for the initial comments in this proceeding was October 11, 2001, with reply comments due on October 23, 2001.<sup>3</sup> On October 4, 2001, the International Bureau,

<sup>1</sup> Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz band, the L-Band, and the 1.6/2.4 GHz Band, IB Docket No. 01-185, *CTIA Request for Extension of Time* (filed Oct. 26, 2001) (*CTIA Request*).

<sup>2</sup> *Motient Motion for Extension of Time to File Reply Comments* (filed Oct. 29, 2001)

<sup>3</sup> See Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz band, the L-Band, and the 1.6/2.4 GHz Band, IB Docket No. 01-185, *Notice of Proposed Rule Making* 16 FCC Rcd 15,532 (2001).

Planning & Negotiations Division, extended the comment period from October 11, 2001 to October 19, 2001, and the reply comment period from October 23, 2001 to November 5, 2001, finding that the public interest warranted such extension.<sup>4</sup> On October 17, 2001, however, the Commission announced that any filings due on October 19, 2001 would be extended to October 22, 2001.<sup>5</sup> CTIA and Motient note that the vast majority of comments were not filed until October 22, 2001, three days after the comment deadline, and that the record already contains over 30 filed comments some of which contain detailed technical appendices and analyses. Accordingly, they argue that the public interest is best served by extending the time for filing comments<sup>6</sup>

3. The Commission's general policy is that extensions of time are not routinely granted.<sup>7</sup> In certain instances, however, we consider and grant requests for extension of time where we find that the public interest would be best served by a more a complete discussion of the matters pending before the Commission. Considering the recent Commission decision to change filing location for paper documents and the substantial volume of the record in this proceeding, we believe that it is in the public interest for the Commission to develop the most complete and well-delivered record possible. We find that an extension of time is appropriate under the current circumstances. We believe that a limited extension of time appropriately balances the interests of commenting parties without unreasonably delaying the resolution of the proceeding. Therefore, we grant an extension of time for the filing of reply comments from November 5, 2001 to November \_\_, 2001.

4. IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the request of Cellular Telephone & Internet Association to extend the deadline for filing comments and reply comments in this proceeding, filed September 25, 2001, is GRANTED to the extent indicated.

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<sup>4</sup> See Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz band, the L-Band, and the 1.6/2.4 GHz Band, IB Docket No. 01-185, *Order Extending Comment Period*, DA 01-2314, 66 Fed. Reg. 53191 (rel. Oct. 4, 2001).

<sup>5</sup> *Public Notice*, FCC Announces Change In Filing Location for Paper Documents, DA 01-2436 (rel. Oct. 17, 2001).

<sup>6</sup> *CTIA Request at 2; Motient Request at 1.*

<sup>7</sup> See 47 C.F.R. § 1.46(a).

5. This actions is taken under delegated authority pursuant to Sections 0.51 and 0.261 of the Commission's Rules, 47 C.F.R . §§ 0.51, 0.261.

FEDERAL COMMUNICATIONS COMMISSION



Richard B. Engelman

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