

APR 15 2002

FCC - MAILROOM

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

In the Matter of)
)
Procedures to Govern the Use of Earth) IB Docket No. 02-10
Stations on Board Vessels in Bands Shared)
With Terrestrial Fixed Service)
)
)
)

ORDER EXTENDING COMMENT PERIOD

Adopted: April 9, 2002

Released: April 9, 2002

Comment Date: May 10, 2002

Reply Comment Date: June 10, 2002

By the Chief, Policy Division, International Bureau:

1. On April 5, 2002, Maritime Telecommunications Network, Inc. ("MTN"), pursuant to Section 1.46 of the Commission's Rules,¹ filed a "Motion for Extension of Time" requesting the Commission to extend the comment and reply comment filing deadlines in this proceeding to May 10, 2002, and June 10, 2002, respectively. MTN states that the current deadline for the filing of comments falls during the upcoming meeting of the ITU-R² Working Group 4-9S in Geneva, at which studies regarding the regulatory, technical and operational aspects of satellite earth stations on board vehicles (ESVs) are expected to be conducted.³ Because many of these same technical and operational issues are under consideration in this proceeding, MTN asserts that commenters would benefit from additional time to review the results of the ITU-R meeting prior to the filing of comments.⁴ MTN also states that the current comment and reply comment deadlines do not reflect the filing timetable intended by the

¹ 47 C.F.R. § 1.46.

² The International Telecommunication Union's Radiocommunication Bureau.

³ Motion for Extension of Time at 1. The ITU-R Working Group 4-9S meeting will be held from April 17-25, 2002. The deadline for comments in this proceeding is currently set at April 19, 2002.

⁴ *Id.* at 2.

Commission.⁵

2. Extensions of time in which to make filings in proceedings are not routinely granted. Nevertheless, the public interest would be served by granting the extension of the comment and reply comment filing deadlines MTN has requested. In this proceeding, the Commission seeks comment of a variety of issues related to the authorization of ESVs, which, as MTN states, are to be the subject of study at the ITU-R Working Group 4-9S meeting in Geneva from April 17-25, 2002. In the *Notice of Inquiry* in this proceeding, we indicated that we will "note further international developments" concerning the ESV service as we consider issues that could arise in the potential licensing of ESVs on a domestic level.⁶ Therefore, it is appropriate to extend the comment and reply comment deadlines to permit MTN and other members of the public to incorporate the results of the ITU-R meeting in their comments and reply comments so as to help the Commission address the complex issues raised in this proceeding. Extending the comment and reply comment deadlines as requested by MTN will also accurately reflect our intended filing periods of 30 days each for comments and reply comments.

3. IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the request of Maritime Telecommunications Network Inc. is GRANTED.

4. IT IS FURTHER ORDERED that the deadline for filing comments in this proceeding IS EXTENDED to May 10, 2002.

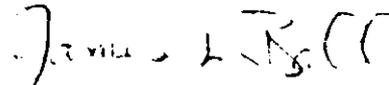
5. IT IS FURTHER ORDERED that the deadline for filing reply comments in this proceeding IS EXTENDED to June 10, 2002.

⁵ *Id.* Specifically, MTN states that the *Notice of Inquiry* in this proceeding indicated that comments would be due 30 days after publication of the *Notice of Inquiry* in the Federal Register, and that reply comments would be due 60 days after such publication. MTN notes that the current comment filing deadline of April 19, 2002, falls 28 days after the Federal Register publication date, and that the current reply comment filing deadline of May 3, 2002, falls 42 days after the Federal Register publication date. Commission staff recently submitted corrected dates for publication in the Federal Register. We intend this order to supersede the Federal Register correction.

⁶ *Notice of Inquiry*, IB Docket No. 02-10, at ¶ 12.

6. This action 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



James Ball

Chief, Policy Division
International Bureau