

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

In the Matter of)
)
Spectrum Policy Task Force Seeks) **DA 02-1311**
Public Comment on Issues Related) **ET Docket No. 02-135**
To Commission’s Spectrum Policies)

REQUEST FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission’s rules, the United Telecom Council (UTC, the Council) hereby requests an extension of time in the comment period on the *Public Notice* above referenced.¹ Specifically, UTC seeks an additional 60 days for comments.

UTC is an international, non-profit trade association representing the telecommunications and information technology interests of electrical, gas and water utilities, gas pipelines and other critical infrastructure industries. Founded in 1948, UTC represents some of the longest users of radio-frequency spectrum for fixed and mobile communications. Through its leadership of the Critical Infrastructure Communications Council (CICC), UTC also represents the telecommunications interests of other critical infrastructure associations and their members, including the:

- American Public Power Association (APPA)
- Edison Electric Institute (EEI)
- American Public Gas Association (APGA)

¹ “Spectrum Policy Task Force Seeks Public Comment on Issues Related to Commission’s Spectrum Policies,” ET Docket No. 02-135, DA 02-1311 (released June 6, 2002)(the “Notice”).

- National Association of Water Companies (NAWC)
- American Gas Association (AGA)
- Association of Oil Pipelines (AOPL)
- Interstate Natural Gas Association of America (INGAA)
- Nuclear Energy Institute

The membership of UTC, combined with those of the above-listed and other CICC members, constitutes tens of thousands of entities, publicly and privately owned, large and small, providing services critical to the everyday lives of all Americans. All of these critical infrastructure entities rely on their use of spectrum-based communications systems, and the continued availability of spectrum, to provide those services. The Council also is a Commission-certified frequency advisory committee coordinating thousands of applications per year on behalf of applicants seeking Commission authority to operate private land mobile radio (PLMR) stations on frequency assignments allocated between 30-900 MHz. Thus, participation in the above-referenced docket is of utmost importance to UTC and the CICC.

The questions posed in the Notice are broad and sweeping, and appear to signal a profound examination of the FCC's spectrum management policies. In particular, the Notice includes several questions related to the PLMR spectrum relied upon by UTC's and CICC's members, as well as by nearly every other business and industry in the American economy. UTC looks forward to discussing innovative solutions to the scarcity of spectrum and the problems of congestion and harmful interference through technological and regulatory means.

UTC fully intends to file thorough comments in this proceeding, and believes it must participate fully on behalf of its members and affiliates.

However, the current comment period is extremely short given the magnitude of the questions posed in the Notice. Moreover, the Notice's release comes at a time when UTC and other private wireless entities, as well as commercial and Public Safety wireless, are fully engaged in other proceedings of extreme importance.

Currently, filings in two other important dockets are due on the same day as comments in this proceeding. Reply comments in the Commission's examination of interference and allocations in the 800 MHz frequency band,² and comments on its determination of rules relating to the allocation of 50 MHz of new Public Safety spectrum in the 4.9 GHz frequency band,³ must be submitted on or before July 8, 2002, the same date stated in the Notice. As with the above-referenced proceeding, UTC considers these matters critical to the telecommunications futures of its members and must participate fully.

UTC's limited resources have been stretched to meet the demands in these proceedings, as it is sure those of other affected organizations also have been. In addition, UTC's annual conference, Telecom 2002, will be held over five days from June 23-27, further eroding the time available to formulate comments on the Notice.

² See, Improving Public Safety Communications in the 800 MHz Band and Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels, *Notice of Proposed Rule Making*, WT Docket No. 02-55 (rel. Mar. 15, 2002). Nearly 200 sets of comments were filed in the initial comment round in this proceeding.

³ See, The 4.9 GHz Band Transferred from Federal Government Use, *Second Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 00-32 (rel. February 27, 2002).

UTC recognizes that the Spectrum Policy Task Force seeks to work expeditiously in this matter; however, the potential impact on the public safety, critical infrastructure, private wireless, and portions of the commercial wireless industries as a result of this proceeding, at the same time they are engaged in other proceedings critical to their futures, is such that an extension of time is warranted. Therefore, UTC believes strongly that the Commission and the public interest would be served best by extending the comment period by 60 days. We feel this extension will allow all interested parties ample time to supply the Commission with constructive comments on the numerous and important questions put forth in the Notice.

Given the timeframe involved, we recommend further that the Commission act expeditiously on this request. UTC supports the Commission's efforts in examining its spectrum management policies and looks forward to working with the Task Force and the Commission as a whole in this matter.

Respectfully Submitted,

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_____/s/_____
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