

M I L L E R & V A N E A T O N

P. L. L. C.

MATTHEW C. AMES
KENNETH A. BRUNETTI†
FREDERICK E. ELLROD III
MARCIL. FRISCHKORN
MITSUKO R. HERRERA†
WILLIAM L. LOWERY

†Admitted to Practice in
California Only

Incorporating the Practice of
Miller & Holbrooke

1155 CONNECTICUT AVENUE, N.W.
SUITE 1000
WASHINGTON, D.C. 20036-4320
TELEPHONE (202) 785-0600
FAX (202) 785-1234

MILLER & VAN EATON, L.L.P.
400 MONTGOMERY STREET
SUITE 501
SAN FRANCISCO, CALIFORNIA 94104-1215
TELEPHONE (415) 477-3650
FAX (415) 477-3652

WWW.MILLERVANEATON.COM

WILLIAM R. MALONE
NICHOLAS P. MILLER
HOLLY L. SAURER
JOSEPH VAN EATON

OF COUNSEL:

JAMES R. HOBSON
GERARD L. LEDERER**
JOHN F. NOBLE

**Admitted to Practice in
New Jersey Only

November 18, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: IB Docket No. 02-286

Dear Madam Secretary:

Miller & Van Eaton represents ACN, a holder of domestic and international 214 certificates, whose rights may be prejudiced by any "Declaratory Ruling" made in the above captioned matter. ACN filed a "Statement in Support of the Objections to Applicants' Declaratory Ruling Request" on November 5th. We had planned to review and address any additional filings in this matter by today's Reply date.

The Commission's electronic docket page, however, has been off-line, and we have not been able to retrieve any additional filings made after November 5, 2002. Additionally, as of 2:48 p.m. today, ACN's filing of November 5th has yet to be listed. Telephonic communications today with the staff of the International Bureau appear to confirm our worst fear that despite our having a stamped copy of our filing, the Bureau is unable to locate our filing.

We, therefore, have no confidence that we, nor the other parties in this matter, have been able to, nor will any party be able yet today to review all the filings in this matter and properly represent the interests of all parties to the Commission.

ACN therefore respectfully request an extension of time to review, analyze and respond to any filings made after November 4, 2002.

MILLER & VAN EATON, P.L.L.C.

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We understand that it is the policy of the Commission that extensions of time are not routinely granted.(47 C.F.R. § 1.46(a)) Still, such extensions may be warranted when the parties would not have sufficient time to review the record. We therefore request that the Commission pursuant to authority found in section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.91, 0.291 and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, provide an extension of time of one week following the FCC's web site being complete with all the filings, be they electronic or paper filed timely for the Nov 5 Opposition due date.

Respectfully submitted,

Gerard Lavery Lederer

Attorney for ACN, Inc.

cc: (via e-mail):

R. Hewitt Pate, Esq.
Ms. Louise Novotny
Mr. Karl W. B. Schwarz
Mr. Andy Lucas