

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

In re:)
)
Ways To Further Section 257 Mandate And) MB Docket 04-228
To Build On Earlier Studies) DA 04-1690

TO THE CHIEF, MEDIA BUREAU

MOTION FOR FURTHER EXTENSION OF TIME

The Minority Media and Telecommunications Council (“MMTC”) respectfully moves for a further, 30-day extension of the comment and reply comment deadlines in this matter, as follows:

Current Schedule (per Public Notice, July 12, 2004)

Comments due September 10, 2004
Reply Comments due October 8, 2004

Proposed Schedule

Comments due October 10, 2004
Reply Comments due November 8, 2004

MMTC has engaged three experts to prepare the fact declarations necessary for its Comments: Thomas J. Henderson, formerly Chief Counsel for the Lawyers Committee for Civil Rights, and Santa Clara School of Law Professors Allen Hammond and Catherine Sandoval, former NTIA and FCC staff members respectively, who had responsibility for oversight of small business programs. The experts have reviewed FCC and outside research that aims to document the compelling governmental interests at stake in this proceeding. The experts have each found this task to be considerably more complex a task than originally believed. Thus far, in partial drafts of their statements which will form the basis for MMTC’s Comments, the experts have completed their analysis of the Commission’s own December, 2000 Section 257 Studies, and they have identified and examined other research studies germane to the issues in this proceeding. The task that remains is to apply their

findings to the compelling interests the Courts, the Commission and other scholars have identified. As noted previously, Hogan & Hartson has graciously agreed to prepare MMTC's Comments on the basis of MMTC's experts' declarations.

Given the delay in Commission review of its Section 257 studies, this request for a further extension of time is not made lightly. Rather, it is made because, unavoidably, additional time is necessary in order to produce what we expect will be a definitive Section 257 analysis that the Commission, and its Advisory Committee on Diversity for Communications in the Digital Age, may rely upon with great confidence. In this way, the agency will be able to consider developing effective and constitutionally sustainable programs to minimize the barriers to entry that still impact some Americans.

WHEREFORE, it is respectfully requested that this further extension of time be granted.

Respectfully submitted,

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September 4, 2004