

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands)	WT Docket No. 03-66 RM-10586
)	
Part 1 of the Commission's Rules - Further Competitive Bidding Procedures)	WT Docket No. 03-67
)	
Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and the Instructional Television Fixed Service to Engage in Fixed Two-Way Transmissions)	MM Docket No. 97-217
)	
Amendment of Parts 21 and 74 of the Commission's Rules With Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed Service for the Gulf of Mexico)	WT Docket No. 02-68 RM-9718
)	
)	

MOTION FOR LEAVE TO EXCEED PAGE LIMITS

The Wireless Communications Association International, Inc. ("WCA"), by its attorneys and pursuant to Section 1.48(b) of the Commission's rules, hereby requests leave to exceed: (i) the twenty-five (25) page limit imposed under Section 1.429(f) on oppositions to petitions for reconsideration; and (ii) the ten (10) page limit imposed under Section 1.429(g) on replies to oppositions to petitions for reconsideration in the rulemaking captioned above. WCA requests that it be permitted to submit a consolidated opposition to all of the petitions for reconsideration totaling no more than fifty (50) pages and a consolidated reply to all oppositions totaling no more than twenty (20) pages. WCA suggests that such leave be extended to any party who wishes to file a consolidated

opposition to all of the petitions for reconsideration and/or a consolidated reply to all of the oppositions filed during the reconsideration phase of this proceeding.¹

A total of twenty-one (21) petitions for reconsideration were timely filed in this matter. While some of those petitions reflect agreement with the positions taken by WCA in its petition, others take opposing views or raise additional complex legal and technical issues that cannot be adequately addressed under the existing page limits in Sections 1.429(f) and (g). Given the complexity and substantial implications of the *Report and Order* in this proceeding, this comes as no surprise. In its *Order* released on January 5, 2005 (the "*Petition Page Limit Order*"), the Wireless Telecommunications Bureau granted WCA's request for leave to exceed the twenty-five (25) page limit on petitions for reconsideration in this docket, and increased the page limit for each petitioning party to fifty (50) pages.² In so doing, the Commission agreed with WCA that all parties "should be given sufficient opportunity to provide meaningful comments and necessary information regarding [the *Report and Order*]," and that "the complexity of the issues presented in [the *Report and Order*] may require greater discussion than the typical Commission order."³ Those findings apply with equal force to the opposition and reply phases of the Commission's reconsideration of the *Report and Order*.

Moreover, grant of the requested relief is likely to reduce the quantity of paperwork filed with the Commission in the coming rounds. Given that so many of the

¹ Public notice of the filing of the petitions for reconsideration in this docket has not been published in the Federal Register, and thus the opposition and reply dates pertaining thereto are unknown. Hence, this motion is timely filed under Section 1.48(b), which requires such motions to be filed at least ten (10) days in advance of the deadlines for oppositions and replies.

² See *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Band*, WT Docket No. 03-66, DA 05-14 (WTB, rel. Jan 5, 2005).

³ *Id.* at ¶ 4.

petitions address similar provisions of the *Report and Order*, WCA believes that it will require far fewer pages to respond to all of the petitions collectively, as opposed to the alternative of submitting separate oppositions to each petition for reconsideration.

Thus, WCA requests that the Commission increase its page limits for any party in this proceeding who chooses to file a consolidated opposition to all of the petitions for reconsideration or a consolidated reply to all of the oppositions.⁴ WCA specifically requests that any consolidated opposition be afforded a limit of 50 pages and that any consolidated reply be afforded a limit of 20 pages.⁵ For parties who wish to submit consolidated filings, such relief will assure that they will have a sufficient opportunity to fully address the issues raised in the petitions for reconsideration and any oppositions thereto, without burdening the Commission with multiple filings addressing each petition or opposition individually.⁶ For that reason, grant of WCA's request will prejudice no party to this proceeding – as acknowledged in the *Petition Page Limit Order*, a more complete record in a proceeding of this type and magnitude redounds to the benefit of all concerned.

⁴ In this context, a “consolidated” filing is one which addresses multiple filings in a single submission.

⁵ These limits are twice those permitted under Sections 1.429(f) and (g), and as such are consistent with the Commission's decision to double the page limit applicable to petitions for reconsideration in this proceeding.

⁶ Any party who does not submit a consolidated opposition or reply would be subject to the 25 page and 10 page limits, respectively, in the Commission's rules.

WHEREFORE, for the reasons set forth above, WCA requests that the Commission grant participants in this proceeding leave under Section 1.48(b) to submit a consolidated opposition to all petitions for reconsideration and/or a consolidated reply to all oppositions of no more than 50 pages and 20 pages in length, respectively.

Respectfully submitted,

THE WIRELESS COMMUNICATIONS
ASSOCIATION INTERNATIONAL, INC.

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