

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

In the Matter of)	
)	
M2Z NETWORKS, INC.)	
)	
Application for License and Authority to)	WT Docket No. 07-16
Provide National Broadband Radio Service)	
In the 2155-2175 MHz Band)	
)	
Petition for Forbearance Under)	WT Docket No. 07-30
47 U.S.C. § 160(c) Concerning Application of)	
Sections 1.945(b) and (c) of the Commission’s)	
Rules and Other Regulatory and Statutory)	
Provisions)	

MOTION FOR EXTENSION OF TIME

CTIA – The Wireless Association® (“CTIA”) respectfully requests a three day extension of the deadline for filing replies to the Consolidated Opposition of M2Z Networks, Inc. (“M2Z”) To Petitions to Deny (“M2Z Opposition”)¹ and the Consolidated Motion of M2Z Networks, Inc. to Strike and Dismiss Petitions to Deny and Alternative Proposals (“M2Z Motion” and collectively, “M2Z Filings”).² Pursuant to this request, replies would be due April 6, 2007. The additional time is necessary for parties to fully consider and respond to M2Z’s voluminous Filings.

On January 31, 2007, the Commission accepted for filing M2Z’s Application for License

¹ See *Consolidated Opposition of M2Z Networks, Inc. to Petitions to Deny*, WT Docket Nos. 07-16 & 07-30 (filed Mar. 26, 2007). The M2Z Opposition was approximately 150 pages in length and contained many extensive legal and policy arguments.

² See *Consolidated Motion of M2Z Networks, Inc. to Strike and Dismiss Petitions to Deny and Alternative Proposals*, WT Docket Nos. 07-16 & 07-30 (filed Mar. 26, 2007).

and Authority to Provide a National Broadband Radio Service in the 2155-2175 MHz Band.³ In accordance with the Commission's rules that require Petitions to Deny to be filed within thirty days after the date of the public notice listing the application as accepted for filing, CTIA filed a Petition to Deny M2Z's Application on March 2, 2007.⁴ Subsequently, on March 9, 2007, the Commission released a Public Notice establishing fixed date deadlines for the filing of petitions to deny, oppositions, and replies, including March 26, 2007 for the filing of oppositions to petitions to deny and April 3, 2007 for replies to those oppositions.⁵

Consistent with these deadlines but more than three weeks after the filing of all of the petitions to deny, M2Z filed its extensive Opposition and Motion on March 26, 2007. Neither of the M2Z Filings, however, was posted on the Commission's Electronic Comment Filing System ("ECFS") until approximately 3:30 PM on Thursday, March 29, 2007. Thus, these filings were unavailable to the public for review until this time. Although M2Z mailed a service copy of the Filings to CTIA, these copies were not received in CTIA's offices until Wednesday, March 28, 2007.⁶ With no other way to obtain the M2Z Filings, neither CTIA nor its members were able to start reviewing them until this time.

Given the voluminous nature of M2Z's filings (over 150 pages in the aggregate),

³ See *Wireless Telecommunications Bureau Announces that M2Z Networks, Inc.'s Application for License and Authority to Provide a National Broadband Radio Service in the 2155-2175 MHz Band Is Accepted for Filing*, Public Notice, WT Docket No. 07-16 (rel. Jan. 31, 2007).

⁴ 47 C.F.R. § 1.939(a)(2).

⁵ See *Wireless Telecommunications Bureau Sets Pleading Cycle for Application by M2Z Networks, Inc. to Be Licensed in the 2155-2175 MHz Band*, Public Notice, WT Docket No. 07-16 (rel. Mar. 9, 2007).

⁶ As CTIA's main convention was held Monday, March 26 through Thursday, March 29 in Orlando, Florida, CTIA staff and its counsel were not in their offices to receive the service copies.

appropriately responding in the four business days remaining after receipt would be extremely difficult at best. Magnifying the brevity of this period is that the upcoming Passover holiday falls on two of these remaining four days. Under the Commission's rules, Petitioners are typically given an additional three days to respond to an Opposition when it is served by mail. *See* 47 C.F.R. § 1.4(h). Since the Commission set specific deadlines for responses, this rule is not applicable in the current context. Granting the requested extension will merely provide petitioners the additional time typically allotted when service is made by mail. This is particularly warranted where, as here, the Filings were not immediately available through the ECFS process.

Given the considerations identified above, CTIA submits that a short extension of time to file replies will serve the public interest. By providing CTIA and the other petitioners three additional days (until April 6th) to adequately review the M2Z Filings and provide a fulsome response, the Commission will be able to base its decision in this proceeding on a complete and fully developed record.

Respectfully submitted,

By: /s/ Christopher Guttman-McCabe

Christopher Guttman-McCabe
Vice President, Regulatory Affairs
CTIA – The Wireless Association®
1400 16th Street, NW
Washington, DC 20036
202.785.0081

Dated: March 29, 2007

CERTIFICATE OF SERVICE

I, Brian Josef, do hereby certify that on this 29th day of March 2007, I caused copies of the foregoing “Motion for Extension of Time” to be delivered to the following via First Class U.S. mail and/or email.

Fred Campbell
Joel Taubenblatt
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 22042

Milo Medin
Chairman
M2Z Networks, Inc.
2800 Sand Hill Road
Suite 150
Menlo Park, CA 94025

Uzoma C. Onyeije
Vice President for Regulatory Affairs
2000 North 14th Street
Suite 600
Arlington, VA 22201

W. Kenneth Ferree
Erin L. Dozier
Christopher G. Tygh
Sheppard Mullin Richter & Hampton LLP
1300 I Street, NW
11th Floor East
Washington, DC 20005
Counsel to M2Z Networks, Inc.

Robert J. Irving Jr.
Leap Wireless International, Inc.
10307 Pacific Center Court
San Diego, CA 92121

James H. Barker
Latham & Watkins, LLP
555 11th Street, NW
Suite 1000
Washington, DC 20004
Counsel to Leap Wireless International, Inc.

Shant S. Hovnanian
Speedus Corp., Managing Member of
NetfreeUS, LLC
9 Desbrosses Street
Suite 402
New York, NY 10013

Stephen E. Coran
Rudolfo L. Baca
Jonathan E. Allen
Rini Coran, PC
1615 L Street, NW
Suite 1325
Washington, DC 20036
Counsel to Speedus Corp. and NetfreeUS, LLC

Louis Tomasetti
Commnet Wireless, LLC
400 Northridge Road
Suite 130
Atlanta, GA 30350

David J. Kaufman
Brown Nietert & Kaufman, Chartered
1301 Connecticut Ave., NW
Suite 450
Washington, DC 20036
Counsel to Commnet Wireless, LLC

John T. Scott III
Verizon Wireless
1300 Eye Street, NW
Suite 400 West
Washington, DC 20005

George E. Kilguss
TowerStream Corporation
Tech 2 Plaza
55 Hammarlund Way
Middletown, RI 02842

Stephen C. Liddel
Open Range Communications, Inc.
6465 South Greenwood Plaza Blvd.
Centennial, CO 80111

Julie M. Kearney
Consumer Electronics Association
2500 Wilson Boulevard
Arlington, VA 22201

Steve B. Sharkey
Motorola, Inc.
1455 Pennsylvania Ave., NW
Suite 900
Washington, DC 20004

Thomas Sugrue
Kathleen O'Brien Ham
Sara Leibman
T-Mobile USA, Inc.
401 9th Street, NW
Suite 550
Washington, DC 20004

Nancy J. Victory
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006
Counsel to Verizon Wireless

Gregory W. Whiteaker
Donald L. Herman, Jr.
Bennet & Bennet, PLLC
10 G Street, NE
Suite 710
Washington, DC 20002
*Counsel to TowerStream Corporation and The
Rural Broadband Group*

Joe D. Edge
Drinker, Biddle & Reath, LLP
1500 K Street, NW
Suite 1100
Washington, DC 20005
Counsel to Open Range Communications, Inc.

Linda Kinney
Bradley Gillen
EchoStar Satellite L.L.C.
1233 20th Street, NW
Washington, DC 20036-2396

Russell D. Lukas
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Boulevard
Suite 1500
McLean, VA 22102
Counsel to McElroy Electronic Corporation

Andrew Kreig
The Wireless Communications Association
International, Inc.
1333 H Street, NW
Suite 700 West
Washington, DC 20005

Paul K. Mancini
Gary L. Phillips
Michael P. Goggin
David C. Jatlow
AT&T Inc.
1120 20th Street, NW
Washington, DC 20036

Jennifer McCarthy
Nextwave Broadband Inc.
12670 High Bluff Drive
San Diego, CA 92130

Brian Peters
Director, Government Relations
Information Technology Industry Council
1250 Eye Street, NW
Suite 200
Washington, DC 20005

/s/ Brian Josef

In addition, pursuant to Section 1.46(c), I, Brian Josef, do hereby certify that I either have orally notified or will orally notify within 24 hours the following individuals of this filing:

Fred Campbell
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 22042
202.418.1553

Joel Taubenblatt
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 22042
202.418.1513

Erin L. Dozier
Sheppard Mullin Richter & Hampton LLP
1300 I Street, NW
11th Floor East
Washington, DC 20005
Counsel to M2Z Networks, Inc.
202.218.0000

Nancy J. Victory
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006
Counsel to Verizon Wireless
202.719.7000

Julie M. Kearney
Consumer Electronics Association
2500 Wilson Boulevard
Arlington, VA 22201
703.907.7644

Russell D. Lukas
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Boulevard
Suite 1500
McLean, VA 22102
Counsel to McElroy Electronic Corporation
703.584.8660

James H. Barker
Latham & Watkins, LLP
555 11th Street, NW
Suite 1000
Washington, DC 20004
Counsel to Leap Wireless International, Inc.
202.637.2200

Steve B. Sharkey
Motorola, Inc.
1455 Pennsylvania Ave., NW
Suite 900
Washington, DC 20004
202.371.6900

Bradley Gillen
EchoStar Satellite L.L.C.
1233 20th Street, NW
Washington, DC 20036-2396
202.293.0981

Kathleen O'Brien Ham
T-Mobile USA, Inc.
401 9th Street, NW
Suite 550
Washington, DC 20004
202.654.5922

