

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554-0005**

In the Matter of)
)
Digital Audio Broadcasting Systems)
And Their Impact on the Terrestrial) MM Docket No. 99-325
Radio Broadcast Service)

To: The Commission

MOTION TO ACCEPT THE FILING AS TIMELY FILED

Attached, please find Reply Comments Re: DA 09-1127, Comments Sought on Specific Issues Regarding Joint Parties' Request for FM Digital Power Increase and Associated Technical Studies, MM Docket No. 99-325. During the 11 PM hour on Friday, July 17, I made multiple, unsuccessful attempts to upload these Reply Comments via the Electronic Comment Filing System (ECFS). The first phase of the process would apparently work, but the system was unresponsive and would eventually "time out" when I clicked the button to proceed to generate a receipt.

As per the instructions of Mr. Bill Caton, with whom I discussed the matter this morning by telephone, please find enclosed five (5) paper copies the filing. Since the original, electronic PDF document contains active hyperlinks, and because the Commission continues to experience delays in the delivery of U.S. Mail, I will also upload the electronic version for the convenience of the reader when the ECFS is functional again.

According to the information on the web page <http://www.fcc.gov/cgb/ecfs/> this motion is standard procedure for times when the ECFS is down. I was unable to file via e-mail because my filing was a PDF document, not plain text.

Thank you very much for your consideration and acceptance of this filing.

Respectfully submitted,

A handwritten signature in black ink that reads "Jonathan E. Hardis". The signature is written in a cursive style with a large initial 'J'.

Jonathan E. Hardis
356 Chestertown St.
Gaithersburg, MD 20878-5724

Dated: July 20, 2009