

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

In the Matters of)	
)	
Consumer & Governmental Affairs Bureau)	
Seeks Comment on Termination of Certain)	CG Docket No. 11-99
Proceedings as Dormant)	
)	
Digital Audio Broadcasting Systems)	
And Their Impact on the Terrestrial)	MM Docket No. 99-325
Radio Broadcast Service)	

COMMENTS

1. These comments are offered in response to public notice DA 11-992,¹ which proposes the termination of many dockets that are believed to be dormant. Among them is proceeding RM-9395, “*Amendment of the Commission’s Rules to Permit the Introduction of Digital Audio Broadcasting in the AM and FM Broadcast Services.*” I am writing to request that this docket be consolidated into MM Docket No. 99-325, or in the alternative, to remain open.

2. It is correct that there has been no activity in RM-9395 in over 11 years, and no additional activity is expected. However, the filings in this proceeding are highly relevant to MM Docket No. 99-325, which is its direct descendant. MM 99-325 contains issues of rulemaking,² petitions for reconsideration, and applications for review that have not yet been resolved.

¹ DA 11-992, “*Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant.*” Released June 3, 2011, electronically at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-11-992A1.pdf.

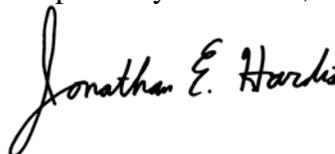
² Specifically, in the matter of “standards,” which was covered by Public Notice [DA 05-1661](#), and which was deferred by “*Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service.*” Second Report and Order, First Order on Reconsideration and Second Further Notice of Proposed Rule Making, at 12, 22 FCC Rcd 10344, 10349-10350

I myself have filed comments, a petition for reconsideration, and an application for review that reference the original Petition for Rulemaking in RM–9395.³ These electronic documents (PDFs) on the ECFS for MM 99–325 contain hyperlinks to important source material in RM–9395.

3. Rather than simply closing RM–9395, I write to suggest that this rulemaking be consolidated into MM 99–325.⁴ This will serve the purpose of helping to ensure that the source documents in RM–9395 will remain on-line in the ECFS for easy reference.

4. Thank you very much for your consideration.

Respectfully submitted,



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(2007), electronically at http://fjallfoss.fcc.gov/edocs_public/attachmatch/FCC-07-33A1.pdf.

³ See, e.g., my Comments of July 14, 2005 (<http://fjallfoss.fcc.gov/ecfs/document/view?id=6518010460>), Petition for Reconsideration of July 9, 2007, at 49 (<http://fjallfoss.fcc.gov/ecfs/document/view?id=6519550109>), and Application for Review of April 8, 2010, at 18, Fn. 5, and Fn. 25 (<http://fjallfoss.fcc.gov/ecfs/document/view?id=7020408278>), all MM 99–325.

⁴ See, e.g., RM–6885 as consolidated into 90–358, RM–9022 as consolidated into 98–76, and RM–10184 as consolidated into 02–318.