

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Public Notice on Interpretation of the Terms	)	MB Docket No. 12-83
“Multichannel Video Programming Distributor”	)	
and “Channel” as Raised in Pending Program	)	
Access Complaint Proceeding	)	

**MOTION FOR EXTENSION OF TIME  
OF THE NATIONAL ASSOCIATION OF BROADCASTERS**

Pursuant to Section 1.46(b) of the rules of the Federal Communications Commission,<sup>1</sup> the National Association of Broadcasters (NAB)<sup>2</sup> respectfully requests that the Commission grant a 30-day extension of the deadlines for all interested parties to submit Comments and Reply Comments in response to the above-captioned *Public Notice* (“*Notice*”). Comments are currently due on April 30, 2012, and Reply Comments are due on May 30, 2012. NAB requests an extension of these deadlines until May 30, 2012 and June 29, 2012.

Grant of this extension of time is needed to permit NAB and its members, as well as other interested parties, to file appropriate Comments. As the *Notice* acknowledges, the issues raised in the *Notice* are profound, potentially far-reaching, and require a

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<sup>1</sup> 47 C.F.R. § 1.46(b).

<sup>2</sup> NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and broadcast networks before Congress, the Federal Communications Commission (“FCC” or the “Commission”) and other federal agencies, and the courts.

thorough analysis. The *Notice* has raised many questions and may require extensive research into the legislative history of several statutes. Because the comment period specified in the *Notice* includes the time in which the NAB staff will be either preparing for or attending the annual NAB Show, we respectfully request this extension.

The *Notice* in this proceeding was issued “to ensure that before deciding the proper interpretation of these terms, we will have the benefit of broad public support and carefully consider all legal and policy implications.”<sup>3</sup> As the Commission correctly stated in a recent court filing, “It is reasonable in this case for the Commission to take the time necessary to consider the full implications of its decision – including seeking and considering public comment – rather than making a potentially far-reaching ruling without a complete record.”<sup>4</sup> It is also reasonable for the Commission to allow parties an adequate opportunity to explore the ramifications of the issues in the *Notice* and fully present their views to the agency.

The *Notice* requests that responding parties provide meaningful comment and analysis of the Cable Communications Policy Act of 1984, and the Cable Television Consumer Protection and Competition Act of 1992, including delving into the committee and conference reports of these statutes.<sup>5</sup> The *Notice* also references voluminous Commission proceedings adopting and interpreting various portions of these laws.<sup>6</sup>

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<sup>3</sup> *Notice* at ¶ 1.

<sup>4</sup> *Opposition of the Federal Communications Commission to Sky Angel’s Petition for a Writ of Mandamus*, filed in *In Re: Sky Angel, U.S., LLC*, No. 12-1119 (D.C. Cir.) (“FCC Opposition” at 18.

<sup>5</sup> See, e.g., *Notice* at footnotes 30, 33 and 42.

<sup>6</sup> See, e.g., *Notice* at footnotes 8, 11, 33, 34, 36, 46, 47, 50, 51, 52, and 54.

NAB, and presumably other of the many parties that could be affected by the outcome of this proceeding, need additional time to parse these complex issues. Grant of this extension will enable NAB to canvas its membership and educate them about the implications of the Commission's ultimate resolution of this matter and to develop and present its position.

Finally, we note that the current deadline immediately follows the 2012 NAB Show in Las Vegas, NV, which many concerned parties – including broadcasters and their counsel and representatives – will be attending.<sup>7</sup> Parties interested in responding to the *Notice* who are also involved in the NAB Show would lose a significant amount of preparation time and would have only six business days after the show ends to finalize and file their Comments.

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<sup>7</sup> The 2012 NAB Show begins on Saturday, April 14 and ends on Thursday, April 19. See *2012 NAB Show Web Site*, available at: <http://www.nabshow.com/2012/default.asp>.

In sum, the requested extension will allow the Commission to collect and consider a more complete legal and factual record and will therefore serve the public interest. Accordingly, NAB respectfully requests a 30-day extension of the deadlines for filing Comments and Reply Comments in response to the above-captioned *Notice*.

Respectfully submitted,

**NATIONAL ASSOCIATION OF  
BROADCASTERS**

A handwritten signature in black ink that reads "Benjamin F.P. Ivins". The signature is written in a cursive style with a large initial 'B' and a long, sweeping tail.

Jane E. Mago  
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April 13, 2012