

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Amendment of the Commission’s Rules with) GN Docket No. 12-354
Regard to Commercial Operations in the)
3550-3650 MHz Band)

To: The Commission

JOINT REQUEST FOR EXTENSION OF TIME TO FILE REPLY COMMENTS

The Public Interest Spectrum Coalition, Utilities Telecom Council and the Wireless Internet Service Providers Association (the “Parties”), pursuant to Section 1.46(b) of the Commission’s Rules, hereby respectfully request a two-week extension of time until August 15, 2014 for interested parties to file Reply Comments in this proceeding.¹

The Parties appreciate that pursuant to Section 1.46(a), extensions of filing deadlines are not routinely granted. The Parties submit, however, that extenuating circumstances warrant an extension and that grant of this request would therefore be consistent with the public interest.

First, approximately 60 comments were filed in response to the *FNPRM*, many of which present new and novel positions that the Commission did not consider in earlier phases of this proceeding. In addition, among other things, many of the comments address complicated technical issues related to the size of federal and earth station exclusion zones, the requirements for the proposed Spectrum Access System and other interference and network management challenges. The Parties believe that additional time to respond to the relatively large volume of comments and the complexity of the issues would allow all parties to prepare more detailed and meaningful reply comments and therefore make for a more complete record. An extension also

¹ *Amendment of the Commission’s Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354, FCC 14-49 (rel. Apr. 23, 2014) (“*FNPRM*”). The deadline for filing initial comments was July 14, 2014.

would be consistent with recent Commission staff decisions extending comment and reply comment deadlines where, as here, the issues “are significant and important to a wide range of interested parties”² and to allow parties “sufficient time to prepare reply comments that fully respond to the technical, economic, and policy issues.”³

Second, the Parties note that in the two days immediately following the July 14, 2014 comment deadline, the Commission’s Electronic Comment Filing System (“ECFS”) was largely inaccessible due to the extremely high volume of comments filed in the open Internet proceeding.⁴ The difficulties that the public had in obtaining access to ECFS and thus the comments filed in this proceeding prevented them from downloading and reviewing the record, thereby delaying and impairing the ability of interested parties to prepare reply comments.

Third, because of the Federal Register publication date of the *FNPRM*, interested parties had only 18 days from the comment deadline to file reply comments. The *FNPRM* afforded parties 40 days from Federal Register publication to file comments and 60 days from such publication to file reply comments. Because of the publication date, interested parties were given only 18 days from the comment deadline to file reply comments. Combined with the ECFS slowdown, the “loss” of two additional days further shortened the actual response time.

Fourth, many of the parties that filed comments – and who are presumably interested in filing reply comments – have been participating in the open Internet proceeding and other

² 2014 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Order, MB Docket Nos. 14-50, et al. (rel. June 27, 2014) (“Quadrennial Review Extension Order”), at 3.

³ *Wireless E911 Location Accuracy Requirements*, Order, PS Docket No. 07-114 (rel. June 4, 2014), at 2.

⁴ See *Public Notice*, “Wireline Competition Bureau Will Treat as Timely Filed any Comments Filed in Response to the Open Internet Notice of Proposed Rulemaking and the Framework for Broadband Internet Access Service Refreshing the Record Public Notice if Filed by July 18, 2014,” DA 14-1002 (rel. July 15, 2014).

Commission rulemaking proceedings. Commission staff recently acknowledged that “competing deadlines in other proceedings” is a basis for extending comment and reply comment deadlines.⁵

Fifth, the Parties note that the requested extension would afford interested parties 32 days from the July 14, 2014 comment deadline to file reply comments (30 days if the ECFS difficulties are subtracted). The Parties submit that the additional time will not prejudice other parties or delay the Commission’s consideration of the record. To the contrary, the Parties believe that the Commission’s work will be assisted by more “robust participation.”⁶

Under ideal circumstances, the deadline for filing Reply Comments might be reasonable, but the desire to ensure more meaningful participation by interested parties and the combination of the above-described circumstances warrant the brief extension requested here. Accordingly, the Parties respectfully request a two-week extension of time until August 15, 2014 for interested parties to file reply comments in the above-captioned proceeding.

Respectfully submitted,

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⁵ *Quadrennial Review Extension Order* at 3.

⁶ *Id.*