

Before the
FEDERAL COMMUNICATIONS COMMISSION DA 95-67
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Part 90 of the)	PR Docket No. 93-144
Commission's Rules to Facilitate)	RM-8117, RM-8030
Future Development of SMR Systems)	RM-8029
in the 800 MHz Frequency Band)	

and

Implementation of Section 309(j))	
of the Communications Act -)	PP Docket No. 93-253
Competitive Bidding)	
800 MHz SMR)	

ORDER

Adopted: January 18, 1995

Released: January 18, 1995

By the Acting Chief, Commercial Radio Division:

1. We have received requests from the American Mobile Telecommunications Association, Inc. ("AMTA"), Personal Communications Industry Association ("PCIA"), and SMR WON for an extension of time for filing Reply Comments in response to the *Further Notice of Proposed Rule Making* in this proceeding.¹ AMTA's and SMR WON's motions, both filed on January 11, 1995, request that the Commission extend the deadline for filing reply comments (currently January 20, 1995) by 60 days. PCIA's motion, also filed on January 11, 1995, requests that the deadline be extended by 30 days. To date, no opposition to these requests has been filed.

2. AMTA seeks an extension in order to "facilitate continued industry efforts to resolve certain of the matters on which no consensus has yet been achieved."² In its motion, SMR WON notes that additional time is necessary to "work out a consensus acceptable to all

¹Amendment of Part 90 of the Commission's Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band and Implementation of Section 309(j) of the Communications Act - Competitive Bidding, 800 MHz SMR, PR Docket No. 93-144 and PP Docket No. 93-253, *Further Notice of Proposed Rule Making*, FCC 94-271, adopted October 20, 1994, released November 4, 1994 (*Further Notice*).

²AMTA Motion at 1.

major interested parties, even though SMR WON and other trade associations held weekly meetings and conference calls throughout November and December."³ In addition, PCIA observes that "the number of Comments, the controversial issues discussed, and the complexity of the proceeding dictate that careful consideration be given to the Comments filed by all parties."⁴ As a result, AMTA, SMR WON and PCIA agree that an extension of time would allow interested and affected parties to submit well-reasoned options and comments on the complex issues addressed in this proceeding.

3. Based on the number of comments received and the variety of views expressed in this proceeding, it appears that an extension of the reply comment period is warranted. We agree with both AMTA and SMR WON that the public interest would be served by granting an extension so that members of the SMR industry can further evaluate, discuss, and attempt to reach consensus regarding the proposals presented and issues addressed both in the *Further Notice* and the initial comments submitted in this proceeding. Both parties indicate that discussions among industry members have been ongoing and that the members are continuing their efforts towards developing consensus positions. We believe that additional time is needed to allow this process to continue. We also agree with PCIA that additional time is needed to enable industry members to review the extensive comment record filed in this proceeding (over 80 comments have been filed) and to submit thorough and well-reasoned reply comments. We nevertheless remain concerned about avoiding a substantial delay in the resolution of issues presented in this proceeding. Thus, we believe that a 40-day extension of the reply comment period is appropriate. We emphasize that in granting this extension, we expect SMR industry representatives to use the additional time productively by continuing their efforts to find solutions to the issues presented in this proceeding that will be broadly supported by industry members.

4. Accordingly, IT IS HEREBY ORDERED that the Motions of Extension of Time filed by the American Mobile Telecommunications Association, the Personal Communications Industry Association, and SMR WON are hereby GRANTED to the extent stated herein.

5. IT IS FURTHER ORDERED, pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, that the deadline for filing reply comments in this proceeding is extended from January 20, 1995 to March 1, 1995.

FEDERAL COMMUNICATIONS COMMISSION

Rosalind K. Allen

Rosalind K. Allen
Acting Chief, Commercial Radio Division
Wireless Telecommunications Bureau

³SMR WON Motion at 2.

⁴PCIA Motion at 2.