

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of the Commission's Rules)
Regarding the 37.0-38.6 GHz and)
38.6-40.0 GHz Bands)
)
Implementation of Section 309(j) of the)
Communications Act -- Competitive Bidding,)
37.0-38.6 GHz and 38.6-40 GHz)

ET Docket No. 95-183/
RM-8553

PP Docket No. 93-253

To: The Commission

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MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission's Rules,¹ the Fixed Point-to-Point Communications Section, Network Equipment Division of the Telecommunications Industry Association ("TIA"), hereby moves that the Commission extend the deadlines for filing comments and reply comments on the above-captioned Notice of Proposed Rule Making and Order ("NPRM") to February 16, 1996, and to March 18, 1996, respectively.

The NPRM was released December 15, 1995. Since that time, the Commission has been closed due to the Federal Government budget problems and due to the severe weather conditions in Washington, D.C.

As demonstrated below, "good cause" exists to extend the filing deadline in the above-captioned proceeding for comments until February 16, 1996, and the filing deadline for reply comments until March 18, 1996.² First, it has come to TIA's attention that numerous parties did not receive a copy of the NPRM until recently because of the Government shut-down. Second, the NPRM still has not been published in the Federal Register. Third, the complexity of proposals made by the Commission in the

¹47 C.F.R. Section 1.46 (1996).

²Pursuant to Section 1.46(c), upon re-opening of the Commission, TIA orally will notify appropriate staff that this Motion is being filed.

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NPRM, which, in many respects, are quite different from the proposals made by TIA in its September 1994 Petition for Rulemaking (RM-8553) and in its May 1995 amendment thereto, necessitate additional time for evaluation. Finally, the uncertainty of when the Commission would reopen, coupled with the weather-related office closings experienced by certain of the parties involved, have made it quite difficult to coordinate among the members of TIA's Fixed Point-to-Point Communications Section to develop its comments.

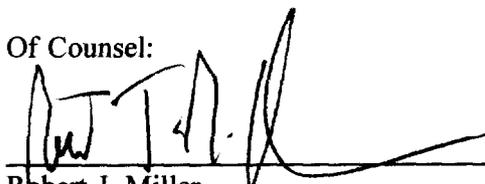
Subsequent to filing its Petition for Rulemaking, TIA has worked closely with Commission staff so that the NPRM could be released as promptly as possible. TIA appreciates the efforts made by the Commission staff to deal expeditiously with the difficult issues associated with channelization of the 37 GHz band and implementation of attendant technical and licensing rules. However, under the foregoing circumstances, it is critical that the public has adequate time to study the proposals in the NPRM so that a record beneficial to the Commission can be developed. Thus, grant of the Motion would be quite helpful for TIA and for all other interested parties.

WHEREFORE, for the foregoing reasons, TIA respectfully requests that the Commission grant this Motion for Extension of Time.

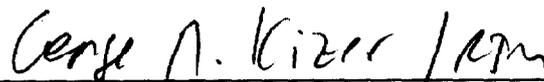
Respectfully submitted,

FIXED POINT-TO-POINT COMMUNICATIONS
SECTION, NETWORK EQUIPMENT DIVISION
OF THE TELECOMMUNICATIONS
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