

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Procedures to Govern the Use of Satellite Earth)
Stations on Board Vessels in Bands Shared)
With Terrestrial Fixed Service)

IB Docket No. 02-10

To: The Commission

MOTION FOR EXTENSION OF TIME

Maritime Telecommunications Network, Inc. ("MTN"), by its attorneys and pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, respectfully requests that the Commission extend the comment and reply comment filing deadlines in the above-captioned proceeding.¹ The comment and reply comment filing deadlines are currently set at April 19, 2002, and May 3, 2002, respectively. As discussed below, MTN believes that there is good cause for the Commission to provide a modest extension of these deadlines – specifically, to May 10, 2002, for comments and to June 10, 2002, for reply comments – in order to facilitate the development of a full and complete record. Extending the deadlines as requested would also correct a shortfall in the duration of the comment and reply comment periods that occurred upon publication of the *Notice of Inquiry* in the Federal Register.

With its *Notice of Inquiry*, the Commission seeks comment on a variety of issues related to the authorization of satellite earth stations on board vessels ("ESVs"). The deadline for the filing of these comments, however, is currently set to occur during the meeting of the ITU-R

¹ *Notice of Inquiry*, IB Docket No. 02-10.

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Working Group 4-9S, to be held in Geneva from April 17 – 25, 2002. At that meeting, one of the principal subjects of discussion will be the finalization of ITU-R studies on the regulatory, technical and operational aspects of ESV operations. New recommendations on ESV-fixed service sharing will likely be adopted, as will draft text relevant to the ESV agenda item at the 2003 World Radiocommunication Conference. MTN believes that all commenters would benefit from additional time to conduct a careful review of the results of this ITU-R meeting prior to the filing of their comments. The Commission has indicated that it will “note further international developments concerning [the ESV] service” as it considers how to address the issues that could arise in the potential licensing of ESVs on a domestic level.² It is therefore appropriate to grant the instant motion to provide interested parties with the time necessary to incorporate the results of the upcoming ITU-R Working Group 4-9S meeting into their comments and reply comments. Extension of the comment deadline to May 10, 2002, which is approximately two weeks after the conclusion of the Working Group 4-9S meeting, should be sufficient in this regard. Establishing the reply comment deadline at June 10, 2002, would keep the interval at the 30-day period intended by the Commission in the *Notice of Inquiry* (see below).

Extending the comment and reply comment deadlines is also warranted because the current deadlines are mistakenly set to occur earlier than intended by the Commission. The *Notice of Inquiry* announced that comments would be due 30 days, and reply comments would be due 60 days, following publication of the *Notice of Inquiry* in the Federal Register, which occurred on March 22, 2002. However, the current comment filing deadline of April 19, 2002, falls only 28 days after the Federal Register publication date, and the current reply comment filing deadline of May 3, 2002, falls only 42 days after that date. Thus, extending the filing

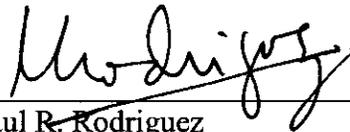
² *Notice of Inquiry* at ¶ 12.

deadlines as requested herein would allow for the full amount of time originally intended by the Commission for responding to the important issues raised in the *Notice of Inquiry*.

For the foregoing reasons, MTN respectfully requests that the Commission extend the comment and reply comment filing deadlines in this proceeding to May 10, 2002 and June 10, 2002, respectively.³

Respectfully submitted,

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³ MTN has contacted and advised the Commission contacts referenced in the Federal Register publication of the *Notice of Inquiry* regarding the instant motion prior to its filing.