

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

In the Matter of)	
)	
Revision of Part 15 of the)	ET Docket No. 98-153
Commission's Rules Regarding)	
Ultra-Wideband Transmission)	
Systems)	

**MOTION FOR EXTENSION OF TIME OF
SATELLITE INDUSTRY ASSOCIATION**

The Satellite Industry Association ("SIA"), pursuant to Section 1.46 of the Commission's rules,¹ hereby moves for an extension of seven business days, through and including Friday, September 26, 2003, in which to reply to XtremeSpectrum, Inc.'s ("Xtreme") Opposition to SIA's Petition for Reconsideration in the above-captioned proceeding. SIA further requests a waiver of the requirement that motions for extension of time in rulemaking proceedings be filed seven days in advance of the filing date.² Xtreme, through its counsel, has advised counsel for SIA that it has no objection to SIA's extension request.

In its Opposition, Xtreme presented extensive new engineering data. Xtreme had months to analyze SIA's data and generate its own, as its Opposition was filed on September 4, 2003 - more than three months after SIA filed its Petition for Reconsideration. SIA has endeavored to respond to Xtreme's filing as quickly as possible. Generating a thorough and complete response, however, will require more than the ten days provided by the Commission's rules.³ Because, as Xtreme notes in its

¹ 47 C.F.R. § 1.46.

² 47 C.F.R. § 1.46(b).

³ Pursuant to Rule 1.4(h), because Xtreme's Opposition was filed by mail, SIA was allowed an additional three days in which to file its Reply. *See* 47 C.F.R. § 1.4(h).

Opposition, Xtreme's technical statement is "an integral part" of its Opposition,⁴ SIA cannot offer the Commission an "informed response" to that Opposition without an opportunity to incorporate its own technical analysis.⁵ Accordingly, SIA requests an extension of seven business days, until Friday, September 26, 2003, in which to reply.

Section 1.46(b) provides that in rulemaking proceedings, requests for extension of time should be filed seven days in advance of the filing date.⁶ In this case, however, there is good cause pursuant to Section 1.3⁷ to waive the advance filing requirement, because Xtreme will not be prejudiced and does not object, and the public interest would be served by allowing SIA to complete the record by presenting the Commission with an informed response to Xtreme's Opposition.⁸

⁴ Opposition of XtremeSpectrum, Inc. to Petition for Reconsideration of the Satellite Industry Association at 1 (filed Sept. 4, 2003).

⁵ *Wireless Telecommunications Bureau Seeks Comment on Petition Filed by AirCell, Inc. for Extension of Waiver*, 18 FCC Rcd 7689 (2003) (granting AirCell's motion for a 45-day extension of time to file reply comments).

⁶ 47 C.F.R. § 1.46(b).

⁷ 47 C.F.R. § 1.3.

⁸ *See, e.g., Wireless Telecommunications Bureau Extends Comment Cycle on Petition for Rulemaking Regarding Location and Monitoring Service Rules*, 17 FCC Rcd 8377 (2002).

Accordingly, and for good cause shown, SIA's request for a waiver of the advance filing requirement of Rule 1.46(b), and its request for an extension of the filing deadline for replying to Xtreme, should be granted.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

A handwritten signature in black ink, appearing to read "Richard DalBello". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

By: _____

Richard DalBello
Executive Director
255 Reinekers Lane
Suite 600
Alexandria, VA 22314

September 16, 2003

Certificate of Service

I hereby certify this 16th day of September, 2003, that I caused a copy of the foregoing "Motion for Extension of Time of Satellite Industry Association" to be served by fax and first-class mail as follows:

Mitchell Lazarus
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, VA 22209
Counsel for XtremeSpectrum, Inc.

Candace Gentry