

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

In the Matter of)
)
AMENDMENT OF PART 15 REGARDING) **ET Docket No. 04-37**
NEW REQUIREMENTS AND)
MEASUREMENT GUIDELINES FOR)
ACCESS BROADBAND OVER POWER)
LINE SYSTEMS)

To: The Commission

MOTION FOR EXTENSION OF TIME TO SUBMIT COMMENTS

ARRL, the National Association for Amateur Radio, also known as the American Radio Relay League, Incorporated (ARRL), by counsel, and pursuant to Section 1.46(b) of the Commission's rules [47 C.F.R. §46(b)] hereby respectfully requests that the Commission extend the time within which comments may be filed in the captioned proceeding in response to the *Notice of Proposed Rule Making* (the Notice), FCC 04-29, released February 23, 2004, 69 Fed. Reg. 12612 *et seq.* The Notice calls for comment on proposed amendments to the Commission's rules to permit under certain circumstances Broadband Power Line (BPL) technology. As good cause for this Motion, ARRL states as follows:

1. The Notice specified that comments would be due in this proceeding within 45 days from the date of publication of the Notice in the Federal Register. The Notice was published in the Federal Register on March 17, 2004, and therefore the comments are presently due May 3, 2004, and the reply comments are due June 1, 2004.

2. A significant component of the Notice deals with the interference potential of BPL systems to licensed incumbent users of the spectrum between approximately 1.7

MHz and 80 MHz, and potentially otherwise. For several months now, the National Telecommunications & Information Administration (NTIA) has been conducting a study, including substantial measurements, calculations and evaluations of trial locations of BPL systems, which, on information and belief, will be published and available to the public. On information and belief, the study addresses the interference potential of BPL to incumbent licensees in the high frequency and very high frequency bands: precisely the issues to be addressed in the Notice. As ARRL understands the schedule for the release of this study, it is to be released publicly on or around April 16, 2004. Though that date is approximate, it is apparent that there will, at best, be only two weeks thereafter to review and evaluate the results of that study, and to incorporate that evaluation in comments in the instant proceeding, unless the comment date is extended.

3. This proceeding stands to have a profound effect on the Amateur Radio Service, and a full and complete opportunity to evaluate the results of the NTIA study is critical to the ability of ARRL to respond in a meaningful manner to the proposals in the instant Notice. At the same time, there is no need for any rush to judgment in this proceeding, since BPL trial sites are only now commencing operation. An extension of the comment date of approximately 45 days, from May 3, 2004 to June 14, 2004 (and a commensurate extension of the reply comment date from June 1, 2004 to July 16, 2004) will have no adverse effect on any interested party to this proceeding. An extension of time of forty-five days for the filing of comments and reply comments, therefore, is respectfully requested. The idea is to have a total of sixty days to review and evaluate the NTIA report before the comments in this proceeding is due. Should the NTIA report be

substantially delayed in its public release, ARRL reserves the right to request additional time as necessary.

Therefore, the foregoing considered, ARRL, the National Association for Amateur Radio, respectfully requests that the Commission extend the time within which comments and reply comments may be filed in this proceeding to and including June 14, 2004 and July 16, 2004, respectively. This Motion is consistent with the timetables set forth in Section 1.46(b) of the Commission's Rules.

Respectfully submitted,

ARRL, the National Association For Amateur Radio

225 Main Street
Newington, CT 06111-1494

By: _____ /S/
Christopher D. Imlay
Its General Counsel

Booth, Freret, Imlay & Tepper, P.C.
14356 Cape May Road
Silver Spring, MD 20904-6011
(301) 384-5525

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