

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of:	)	
	)	
Creation of a Low	)	MM Docket No. 99-25
Power Radio Service	)	
	)	

**ORDER**

**Adopted: August 23, 2005**

**Released: August 24, 2005**

**Reply Comment Date: September 21, 2005**

By the Acting Chief, Media Bureau:

1. On March 17, 2005, the Commission released its *Second Order on Reconsideration and Further Notice of Proposed Rulemaking* (“*Further Notice*”) in the above-captioned proceeding.<sup>1</sup> The Commission set deadlines of August 8, 2005 for comments (30 days after publication in the Federal Register) and August 22, 2005 for reply comments (45 days after publication in the Federal Register).<sup>2</sup> On August 3, 2005, the Media Bureau extended by two weeks the comment and reply comment deadlines in this proceeding to August 22, 2005 and September 6, 2005, respectively.<sup>3</sup>

2. On August 16, 2005, REC Networks (“REC”) filed a motion seeking a 15-day extension of time to file reply comments in response to the *Further Notice* so that the deadline for filing reply comments would be September 21, 2005.<sup>4</sup> REC states that a large number of comments have been filed in response to the *Further Notice* and that REC and others need additional time to review and reply to such comments, if necessary. REC also states that the time delay in posting paper-filed comments to the Commission’s Electronic Comment Filing System (ECFS) justifies an extension of the reply comment period. Finally, REC argues that other Media Bureau proceedings have established one-month reply comment periods.

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<sup>1</sup> *Creation of a Low Power Radio Service*, 20 FCC Rcd 6763 (2005).

<sup>2</sup> The *Further Notice* was published in the Federal Register on July 7, 2005. 70 FR 39217.

<sup>3</sup> *Creation of a Low Power Radio Service*, DA 05-2253, MM Docket No. 99-25 (rel. Aug. 3, 2005) (“*Extension Order*”). The comment and reply comment deadlines were extended in response to a motion filed by Station Resource Group (“SRG”), which stated that more time was needed because SRG intended to discuss issues related to the *Further Notice* at its annual planning retreat August 3-5, 2005, and to collect ideas and compile related research following the retreat. The Media Bureau concluded that good cause existed for a limited extension. In the *Extension Order*, the Media Bureau denied the request of National Public Radio, Inc. (“NPR”) to extend the reply comment to 30 days, finding that there was not good cause to do so at that time.

<sup>4</sup> REC Networks Motion to Extend Time of Reply Comment Period (filed Aug. 16, 2005).

3. We find that there is good cause for an extension of time to file reply comments in response to the *Further Notice*. The record now reflects that a large number of comments have been filed in this proceeding. Extending the reply comment period to 30 days is appropriate to afford interested parties sufficient time to review and reply to such filings. We therefore extend by 15 days the reply comment deadline in this proceeding to September 21, 2005.

4. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 155(c), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, and 1.46, the date for filing reply comments in MM Docket No. 99-25 is extended until September 21, 2005.

FEDERAL COMMUNICATIONS COMMISSION

Donna C. Gregg  
Acting Chief, Media Bureau