

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

In the Matter of)	
)	
Implementation of Sections 309(j) and 337 of the Communications Act of 1934, as amended)	WT Docket No. 99-87
)	
Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies)	RM-9332
)	
Establishment of Public Service Radio) Pool in the Private Mobile Frequencies Below 800 MHz)	RM-9405
)	
)	

ORDER

Adopted: May 19, 1999

Released: May 19, 1999

By the Chief, Auctions and Industry Analysis Division:

1. On March 25, 1999, the Commission released a *Notice of Proposed Rule Making*¹ in the above-captioned proceeding. The current deadlines for filing comments and reply comments are July 2, 1999 and August 2, 1999, respectively.

2. On May 12, 1999, the Commission received a *Request for Extension of Time to File Comments* filed by the Land Mobile Communications Council ("LMCC").² LMCC requests that the Commission extend the deadlines for filing comments and reply comments to August 2, 1999 and September 16, 1999, respectively. LMCC contends that digesting and preparing comprehensive responses to both the *Notice*, and the recently released *Second Memorandum Opinion and Order* in

the refarming proceeding,³ is an extremely difficult task.⁴ Specifically, LMCC contends that an extension

¹ See Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, WT Docket No. 99-87, Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, RM-9332, Establishment of Public Service Radio Pool in the Private Mobile Frequencies Below 800 MHz, RM-9405, *Notice of Proposed Rule Making*, FCC 99-52 (rel. March 25, 1999), 63 Fed. Reg. 23,571 (May 3, 1999) ("*Notice*").

² Land Mobile Communications Council, Request for Extension of Time to File Comments, filed May 12, 1999.

³ See Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services, PR Docket 92-235, *Second Memorandum Opinion and Order*, FCC 99-68 (rel. April 13, 1999) ("*Second Memorandum*").

is warranted due to the number of questions raised in the *Notice* and the impact the answers to these questions will have on the private wireless industry.

3. The Commission does not routinely grant extensions of time.⁵ Upon review, however, we agree that an extension will afford parties the necessary time to coordinate and file comments that will facilitate the compilation of a more complete record in this proceeding, without causing undue delay to the Commission's consideration of the issues.

4. Accordingly, **IT IS ORDERED** that the *Request for Extension of Time to File Comments* filed by the Land Mobile Communications Council on May 12, 1999, **IS GRANTED**. Interested parties may file comments on or before August 2, 1999, and reply comments on or before September 16, 1999.

5. This action is taken pursuant to the authority provided in Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46 and under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Amy J. Zoslov
Chief, Auctions and Industry Analysis Division
Wireless Telecommunications Bureau

Opinion and Order").

⁴ See Land Mobile Communications Council, Request for Extension of Time to File Comments at 2.

⁵ 47 C.F.R. § 1.46(b).