

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

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In the Matter of)
)
Biennial Regulatory Review --)
Amendment of Parts 0, 1, 13, 22, 24, 26) WT Docket No. 98-20
27, 80, 87, 90, 95, 97, and 101 of the)
Commission's Rules to Facilitate the Development)
and Use of the Universal Licensing System)
in the Wireless Telecommunications Services)

ORDER

Adopted: May 4, 1998
Released: May 4, 1998

By the Chief, Commercial Wireless Division:

1. In this Order, we grant the Federal Communications Bar Association's ("FCBA") Motion for an Extension of Time and on our own motion waive the Commission requirement for all pleadings in this docket to be filed on paper.

2. Extension of Time to File Rulemaking Comments. By this order, we extend the filing deadlines for comments concerning the ULS NPRM to May 22, 1998 and reply comments to June 8, 1998.

3. The FCBA requests a 15-day extension of the May 7, 1998, deadline in order to allow interested parties to gather and present complete and full information. We do not routinely grant extensions of time. We find in this case, however, that the public interest would be served by allowing the FCBA and other interested parties additional time to comment on the issues raised in the above-captioned matter. Granting this extension request is reasonable because the Commission's ULS NPRM is a large and complex document which, as the FCBA notes, does "include the consolidation of forty-one existing application forms into five new electronic forms, and the associated proposal to make substantial streamlining revisions to thirteen rule parts. . . ." We note and appreciate the FCBA's formation of a task force to consider and comment upon this ULS NPRM. Given the number and intricacy of the issues posed

in this ULS NPRM, we find the FCBA's request for an extension of time to be reasonable and extend the filing dates for comments and reply comments. We will grant the FCBA's request.

4. Electronic Filing for ULS NPRM comments and replies. On April 2, 1998, the Commission adopted the Electronic Filing Report and Order amending its rules to allow electronic filing of comments in all Commission rulemaking proceedings. These rules will become effective 60 days after Federal Register publication of the Electronic Filing Report and Order. Because this effective date will not occur until shortly after the comment and reply deadlines in the ULS proceeding, the current rules requiring formal comments to be filed on paper remains in effect. Nonetheless, we believe it is in the public interest to waive such rules as they apply to the ULS proceeding, and to encourage parties in the proceeding to file comments electronically. The Electronic Comment Filing System (ECFS) is already fully operational and prepared to receive electronic comments. We also note that the Commission recently allowed electronic filing by waiver in the Notice of Proposed Rulemaking adopted in the section 255 proceeding.

5. Therefore, we hereby waive sections 1.49(a), 1.415, and 1.419 of our rules and will allow comments and reply comments in this proceeding to be filed electronically, provided they conform to the filing procedures established in the Electronic Filing Report and Order. Such comments will be considered part of the record in this proceeding and accorded the same treatment as comments filed on paper pursuant to our rules. To file electronic comments in this proceeding, commenters may use the electronic filing interface on the Commission's World Wide Web site at <<http://dettifoss.fcc.gov:8080/cgi-bin/ws.exe/beta/ecfs/upload.hts>>. Further information on the process of submitting comments electronically is available at that location and at <<http://www.fcc.gov/e-file/>>.

Orderin g Clauses

6. Accordingly, IT IS ORDERED, that pursuant to sections 4(i), and 5 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i); 155, authority delegated by section 0.331 of the Commission's rules, 47 C.F.R. 0.331, and section 1.46 of the Commission's rules, 47 C.F.R. 1.46, the Motion For An Extension Of Time, filed by the Federal Communications Bar Association on April 29, 1998, IS GRANTED. Comments are due on or before May 22, 1998. Reply comments are due on or before June 8, 1998.

7. IT IS FURTHER ORDERED, pursuant to section 4(i) and 5 of the Communications Act of 1934, as amended, 47 C.F.R. 154(i); 155, authority delegated by section 0.331 of the Commission's rules, 47 C.F.R. 0.331, and section 1.3 of the Commission's rules, 47 C.F.R. 1.3, that section 1.49(a), 1.415, and 1.419 of the Commission's rules, 47 C.F.R. 1.49(a); 1.415; 1.419, ARE hereby WAIVED to the extent described herein.

FEDERAL COMMUNICATIONS COMMISSION

Steven E. Weingarten
Chief, Commercial Wireless Division