

accordance with good agricultural practice.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 21 and 94

[ET Docket No. 95-183; PP Docket No. 93-253; DA 96-455]

37.0-38.6 GHz and 38.6-40.0 GHz Bands and Implementation of Section 309(j) of the Communications Act—Competitive Bidding

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial of request for extension of time.

SUMMARY: The Commission denies an extension of time for filing reply comments in this proceeding on licensing and technical rules for fixed point-to-point microwave operations in the 37.0-38.6 GHz and 38.6-40.0 GHz bands. This action is taken because the filing dates were previously extended and it is the Commission's policy that extensions of time not be routinely granted. The intended effect of this action is to expedite the resolution of the issues raised in this proceeding.

DATES: Reply comments were due on April 1, 1996.

ADDRESSES: Federal Communications Commission, 1919 M Street N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Freda Lippert Thyden, Wireless Telecommunications Bureau, (202) 418-0627.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, DA 96-455, adopted March 28, 1996 and released March 28, 1996. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Washington, D.C. 20037.

By this action, we deny a third extension of time in which to file reply comments in this proceeding. (61 FR 2465, January 26, 1996). Bachow and Associates, Inc. ("Bachow"), requested that the time for filing reply comments in this proceeding be extended from April 1, 1996 to April 22, 1996.

By way of background, on January 16, 1996, the Commission's Office of Engineering Technology, on its own motion, extended the initial comment and reply comment period in the above-captioned proceeding from January 16, 1996, and January 31, 1996, respectively, to February 12, 1996, and February 27, 1996, respectively. On February 9, 1996, the Private Wireless Division further extended the deadline for filing comments and replies to March 4, 1996, and April 1, 1996, respectively, at the request of Winstar Wireless Fiber Corporation, GHz Equipment Company, Inc., and the Fixed Point-to-Point Communications Section, Network Equipment Division of the Telecommunications Industry Association (61 FR 6809, February 22, 1996).

Bachow contends that the volume of comments, the number and complexity of the issues involved and the initial delay in availability of filed comments necessitate an extension of three weeks for the filing of replies. We disagree. The facts of this case do not warrant what, in essence, would be a third extension of the filing period. It is the policy of the Commission that extensions of time not be routinely granted. Upon granting the last extension, the public was fully apprised of our increasing concern over the delay in this proceeding. In requesting additional time, Bachow has failed to cite any convincing reason for again postponing the deadline for filing reply comments.

Ordering Clauses

Accordingly, it is hereby ordered that the Motion for Extension of Time to File Reply Comments filed by Bachow and Associates, Inc., on March 25, 1996 is denied.

This action is taken pursuant to the authority provided in Section 1.46 of the Commission's Rules.

Federal Communications Commission.

Robert H. McNamara,

Chief, Private Wireless Division, Wireless Telecommunications Bureau.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Parts 1100 Through 1149

[STB Ex Parte No. 527]

Expedited Procedures for Processing Rail Rate Reasonableness, Exemption and Revocation Proceedings

AGENCY: Surface Transportation Board.

ACTION: Advance notice of proposed rulemaking; extension of comment due date.

SUMMARY: The original comment due date in this proceeding of May 6, 1996, is extended to May 20, 1996, at the request of the Association of American Railroads (AAR), Edison Electric Institute (EEL), National Grain & Feed Association (NG&FA), National Industrial Transportation League (NITL), The Society of the Plastics Industry, Inc. (SPI), and Western Coal Traffic League (WCTL).

DATES: Comments are due on May 20, 1996.

ADDRESSES: Send comments (an original and 10 copies) referring to STB Ex Parte No. 527 to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Ave., N.W., Washington, DC 20423-0001. Parties are encouraged to submit all pleadings and attachments on a 3.5-inch diskette in WordPerfect 5.1 format.

FOR FURTHER INFORMATION CONTACT: Thomas J. Stilling, (202) 927-7312. (TDD for the hearing impaired: (202) 927-5721.)

SUPPLEMENTARY INFORMATION: On March 22, 1996, an Advance Notice of Proposed Rulemaking (ANPR) was served and published in the Federal Register, at 61 FR 11799, soliciting comments on how existing regulations could be modified to expedite the handling of rail rate reasonableness and exemption/revocation proceedings. On April 19, 1996, AAR, EEL, NG&FA, NITL, SPI, and WCTL jointly requested an extension of the comment due date until May 20, 1996, so that they can better respond to the ANPR. Because the parties requesting the extension represent a significant segment of railroad and shipper interests that are seeking "to identify and develop consensus positions on the major issues," the due date for comments is extended to May 20, 1996. Given our tight statutory deadline, we do not anticipate further extensions.

Decided: April 26, 1996.