

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 97-213, DA 97-2686]

Communications Assistance for Law Enforcement Act

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On December 23, 1997, the Chief, Network Services Division, Common Carrier Bureau issued DA 97-2686, an order granting the Petition filed by the Federal Bureau of Investigation on December 17, 1997, to extend the date for reply comments in the Communications Assistance for Law Enforcement Act, Notice of Proposed Rulemaking, CC Docket No. 97-213, FCC 97-356 (rel. Oct. 10, 1997), to February 11, 1998.

DATES: Reply Comments are due February 11, 1998.

ADDRESSES: File reply comments with the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: David Ward, Network Services Division, Common Carrier Bureau, (202) 418-2320.

SUPPLEMENTARY INFORMATION:

Adopted: December 23, 1997
Released: December 23, 1997 By the Chief, Network Services Division:

1. On October 10, 1997, the Commission released a Notice of Proposed Rulemaking (NPRM) to implement certain sections of the Communications Assistance for Law Enforcement Act (CALEA), 47 U.S.C. 1001 *et seq.*¹ Comments were due on December 12, 1997, and reply comments are due on January 12, 1998.

2. The Commission has received a "Request for an Extension of Time to File Reply Comments" in the above captioned proceeding, filed on December 17, 1997 by the Federal Bureau of Investigation (FBI). The FBI asks for an extension of thirty days, which would change the date for reply comments from January 12, 1998, to February 11, 1998.

3. It is the policy of the Commission that extensions of time shall not be routinely granted.² The Petitioner cites

four special circumstances: "(1) the FBI must coordinate its reply effort with—and obtain consensus from—approximately fifty (50) Law Enforcement Technical Forum (LETF) members and other law enforcement agencies across the nation; (2) this rulemaking involves a complex subject matter that affects not only carriers, but hundreds of Federal, State, and local law enforcement agencies and prosecutors' offices; (3) the issues in this rulemaking invoke critical public safety and privacy concerns, the development of a complete record is particularly important in this matter; and (4) the current 30-day reply period coincides with the holidays, which further limits the FBI's undertaking."³

4. The circumstances shown by Petitioner establish good cause for an extension of the reply comment date in this docket. All parties to this proceeding will be allowed to file reply comments by February 11, 1998.

5. Accordingly, *it is ordered*, pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r), and Sections 0.204(b), 0.291 and 1.45 of the Commission's rules, 47 CFR 0.204(b), 0.291 and 1.45, that an additional period of thirty days to submit Reply Comments is granted. The new date for Reply Comments is February 11, 1998.

Federal Communications Commission.

Geraldine A. Matise,
Chief, Network Services Division, Common Carrier Bureau.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 97-248; FCC 97-415]

Program Access Proceeding

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In the *Memorandum Opinion and Order and Notice of Proposed Rulemaking* ("NPRM"), the Commission grants the petition for rulemaking filed by Ameritech New Media, Inc. requesting that the Commission issue a notice of proposed rulemaking to amend

its program access rules. Also in the *NPRM* the Commission seeks comment on proposals to amend several aspects of the program access rules. The Commission believes that these proposals will provide expeditious and effective resolution of program access complaints. These proposed rules are necessary to further the Commission's goals of increased competition and diversity in the multichannel video programming market, as well as foster the development of competition to traditional cable systems. The intended effect of this action is to seek comment on proposed rules and procedures applicable to the Commission's program access rules.

DATES: Comments are due on or before February 2, 1998. Reply comments are due on or before February 23, 1998.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Deborah Klein or Steve Broeckert, Consumer Protection and Competition Division, Cable Services Bureau, at (202) 418-7200.

SUPPLEMENTARY INFORMATION: This is a synopsis of the *Memorandum Opinion and Order and Notice of Proposed Rulemaking* in CS Docket No. 97-248, FCC 97-415 which was adopted and released on December 18, 1997. A copy of the complete item 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. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800. The complete *Memorandum Opinion and Order and Notice of Proposed Rulemaking* also is available on the Commission's Internet home page (<http://www.fcc.gov>).

Summary of Action

I. Background

1. On December 18, 1997, the Federal Communications Commission ("Commission") adopted a *Memorandum Opinion and Order and Notice of Proposed Rulemaking* which granted a petition for rulemaking filed by Ameritech New Media, Inc. ("Ameritech") and sought comment on a variety of proposals relating to its program access rules. The *Order and NPRM* are summarized below.

¹ Communications Assistance For Law Enforcement Act, Notice of Proposed Rulemaking, CC Docket No. 97-213, FCC 97-356 (rel. Oct. 10, 1997).

² See 47 CFR 1.46.

³ Communications Assistance for Law Enforcement Act, Request of the Federal Bureau of Investigation for An Extension of Time to File Reply Comments, CC Docket No. 97-213, FCC 97-356 (Dec. 17, 1997), at 2.