

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 2**

[ET Docket Nos. 00–258 and 95–18, IB Docket No. 99–81; DA 01–2313]

Introduction of New Advanced Mobile and Fixed Terrestrial Wireless Services; Use of Frequencies Below 3 GHz

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: In this document, the Commission extends the period for comment and reply comment in the proceeding that was initiated to explore the possible use of frequency bands below 3 GHz to support the introduction of new advanced mobile and fixed terrestrial wireless services (advanced wireless services) including third generation (3G) and future generations of wireless systems. The Commission extends the period for comment at the request of the Cellular Telecommunications & Internet Association (CTIA) in order to allow sufficient time to establish the most complete and well-delivered record possible on which to base an ultimate decision.

DATES: Comments are due on or before October 19, 2001, and Reply Comments are due on or before November 5, 2001.

ADDRESSES: Send comments and reply comments to the Office of the Secretary, Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John Spencer, 202–418–1310.

SUPPLEMENTARY INFORMATION: This is a summary of the Order Extending Comment Period in ET Docket Nos. 00–258 and 95–18, and IB Docket No. 99–81, DA 01–2313, adopted October 4, 2001, and released October 4, 2001. The complete text of this Order is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554.

1. The Commission extends the comment period established in the Further Notice of Proposed Rulemaking in this proceeding (66 FR 47618, September 13, 2001) from October 11, 2001, to October 19, 2001, and the reply

comment period from October 23, 2001, to November 5, 2001.

Ordering Clause

2. The request of CTIA to extend the deadline for filing comments in this proceeding, filed September 25, 2001, is granted to the extent indicated, pursuant to § 1.46 of the Commission's rules, 47 CFR 1.46.

Federal Communications Commission.

Kathleen O'Brien Ham,

Deputy Chief, Wireless Telecommunications Bureau.

[FR Doc. 01–25640 Filed 10–10–01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 21, 73 and 76**

[CS Docket Nos. 98–82 and 96–85, MM Docket Nos. 92–264, 94–510, 92–51 and 87–154, FCC 01–263]

The Commission's Cable Horizontal and Vertical Ownership Limits and Cable, Broadcast and MDS Attribution Rules

AGENCY: Federal Communications Commission.

ACTION: Further notice of proposed rulemaking.

SUMMARY: This document examines and solicits comment on the Commission's cable horizontal and vertical limits and aspects of its attribution rules as affected by the recent D.C. Circuit decision in *Time Warner Entertainment Co. v. FCC*, 240 F.3d 1126 (D.C. Cir. 2001). The D.C. Circuit reversed and remanded the Commission's horizontal and vertical limits, and vacated two aspects of its attribution rules.

DATES: Comments are due on or before December 26, 2001, and reply comments are due on or before January 25, 2002.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Daniel Hodes, Kiran Duwadi, Ava Holly Berland, Andrew Wise, Cable Services Bureau, (202) 418–7200, TTY (202) 418–7365 or via Internet at dhodes@fcc.gov, kduwadi@fcc.gov, hberland@fcc.gov, awise@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Further Notice of Proposed Rulemaking* ("FNPRM") in CS Docket Nos. 98–82, 96–85, MM Docket Nos. 92–264, 94–150, 92–51, 87–154, FCC 01–263, adopted September 13, 2001, and

released September 21, 2001. The complete text of this FNPRM is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY–A257) at its headquarters, 445 12th Street, SW., Washington, DC 20554, and may be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street SW., Room CY–B402, Washington, DC, 20554, telephone (202) 863–2893, facsimilie (202) 863–2898, or via Internet at qualexint@aol.com, or may be viewed via Internet at <http://www.fcc.gov/csb/>. This document is also available in alternative formats (computer diskette, large print, audio cassette, and Braille). Persons who need documents in such formats may contact Brian Millin at (202) 418–7426, TTY (202) 418–7365, or send an email to access@fcc.gov.

Synopsis of Notice of Inquiry

1. As part of the 1992 Cable Act, Congress added section 613(f) to the Communications Act of 1934. The principal objective of section 613(f) was to enhance competition in the acquisition and distribution of video programming by cable and non-cable systems. Congress expressed a preference for competition over regulation in achieving this objective, believing that the presence of alternative cable and non-cable multi-channel video programming distributors ("MVPDs") would constrain the cable operators' market power in the acquisition and distribution of multi-channel programming, as well as improve their service and programming quality and curb their subscription rate increases. However, at the time, given the absence of effective competition to, and the trend toward increased horizontal concentration and vertical integration in, the cable industry, Congress believed structural limits were necessary. Congress thus enacted section 613(f), which directs the Commission to establish limits: (1) on the number of subscribers a cable operator may serve through its owned or affiliated cable systems (horizontal limit); and (2) on the number of channels a cable operator may devote to its owned or affiliated programming (vertical limit).

2. In response to the congressional directive, the Commission adopted a horizontal ownership limit that barred a cable operator from owning or having an attributable interest in cable systems that reach more than 30 percent of subscribers served by all multichannel video programming distributors ("MVPDs") nationwide. The Commission also adopted a vertical