

comment cycle provides insufficient time to assess complex technical issues to address fully—using empirical data—the possible interference concerns raised by allowing TDD transmissions in the AWS-3 band. T-Mobile asserts that the Commission must allow additional time to develop a proper record on this issue through empirical testing and that it would be “arbitrary and capricious” to do otherwise. It claims that the comment period is shorter than what is typically recognized to allow informed comment and asserts that the minimum appropriate comment window is 30 days. While T-Mobile requests at least an additional 30 days to “allow interested parties to conduct their own testing, submit data, and evaluate the test results of other parties,” it prefers that the Commission extend the comment deadline by 90 days and conduct independent testing on potential interference issues.

3. AT&T, United States Cellular, Ericsson and Sony Ericsson, Motorola, PCIA, and Nokia filed comments in support of T-Mobile’s request for an extension of the comment period, contending that additional time to provide comments would permit the inclusion in the record of technical analyses that will allow the public and the Commission to better evaluate the interference issues posed by the proposed rules.<sup>1</sup> The Rural Telecommunications Group, Inc., and the National Telecommunications Cooperative Association (collectively the “Rural Advocates”), aver that additional time is necessary to allow small and rural companies adequate opportunity to assess the impact of the Commission’s proposal on the deployment of broadband wireless services in rural areas. M2Z Networks, Inc. (M2Z) filed an opposition to T-Mobile’s request for an extension of the comment period, asserting that the Commission already has an extensive record on interference issues in the above-captioned proceeding.

4. Under section 1.46(a) of the Commission’s rules, it is the policy of the Commission that extensions of time shall not be routinely granted.<sup>2</sup> Nevertheless, in this instance, we find that providing additional time for filing comments will serve the public interest by ensuring the development of a more complete and well-developed record in response to the *FNPRM*. We note that parties have had notice of the possibility that TDD operations would be permitted in the AWS-3 band since at least the

issuance of the *AWS-3 Notice of Proposed Rulemaking* in WT Docket No. 07-195 (*AWS-3 NPRM*) nearly one year ago—and nothing proposed in the *FNPRM* alters that basic proposal. We also note that interested parties have already been in the process of commenting and engaging in a meaningful dialogue about these issues in comments filed in response to the *AWS-3 NPRM*. However, we believe that providing a limited extension equaling 30 days from **Federal Register** publication of the *FNPRM*<sup>3</sup> to allow for additional discussion of the proposal in the *FNPRM* will not unreasonably delay the Commission’s adoption of final rules in this proceeding. Accordingly, we grant the *Request* in part by extending the deadline for all comments to July 25, 2008. In order to provide parties an additional amount of time in which to review and respond to the comments received, we also extend the reply deadline to 15 days from the revised comment deadline, to August 11, 2008.<sup>4</sup> We also note that, with the issuance of the *FNPRM*, adoption of final rules in this proceeding would not have occurred in July, 2008.

5. Pursuant to sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 154(j), and sections 0.131, 0.331, and 1.46 of the Commission’s rules, 47 CFR 0.131, 0.331, and 1.46, the deadline for filing comments and reply comments in response to the *FNPRM* is extended to July 25, 2008, and until August 11, 2008, respectively.

6. Pursuant to sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 154(j), and sections 0.131, 0.331, and 1.46 of the Commission’s rules, 47 CFR 0.131, 0.331, and 1.46, the T-Mobile Request for Extension of Time to File Comments is granted to the extent indicated herein and otherwise denied.

Federal Communications Commission.

**James D. Schlichting,**

*Acting Chief, Wireless Telecommunications Bureau.*

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<sup>3</sup> The *FNPRM* was published in the **Federal Register** on June 25, 2008. See Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2155-2175 MHz and 2175-2180 MHz Bands, 73 FR 35995, June 25, 2008.

<sup>4</sup> Because 15 days from the revised comment deadline of July 25 falls on Saturday, August 9, reply comments are due on Monday, August 11, 2008. We note that nothing in today’s Order precludes the filing of comments—on some or all issues—prior to the revised deadline date.

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08-1501; MB Docket No. 08-102; RM-11439]

### Television Broadcasting Services; South Bend, IN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by LeSEA Broadcasting, Inc. (“LeSEA”), the licensee of WHME-DT, DTV channel 48, South Bend, Indiana. LeSEA requests the substitution of DTV channel 46 for channel 48 at South Bend.

**DATES:** Comments must be filed on or before August 13, 2008, and reply comments on or before August 28, 2008.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Joseph C. Chautin, III, Esq., Hardy, Carey, Chautin & Balkin, L.L.P., 1080 West Causeway Approach, Mandeville, LA 70471-3036.

**FOR FURTHER INFORMATION CONTACT:**

Joyce L. Bernstein,  
*Joyce.Bernstein@fcc.gov*, Media Bureau,  
(202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Notice of Proposed Rule Making, MB Docket No. 08-102, adopted July 1, 2008, and released July 2, 2008. The full text of this document is available for public inspection and copying during normal business hours in the FCC’s Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission’s Consumer and Governmental Affairs Bureau at (202)

<sup>1</sup> In a July 3 *ex parte* filing, CTIA also expressed its support for an extension of time.

<sup>2</sup> 47 CFR 1.46(a).

418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.622(i), the DTV Table of Allotments under Indiana, is amended by substituting channel 46 for channel 48 at South Bend.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 08-1494; MB Docket No. 08-106; RM-11447]

#### Television Broadcasting Services; Castle Rock, CO

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by LeSEA Broadcasting of Denver, Inc. ("LeSEA"), the licensee of KWHB-DT, DTV channel 46, Castle Rock, Colorado. LeSEA requests the substitution of DTV channel 45 for channel 46 at Castle Rock.

**DATES:** Comments must be filed on or before August 13, 2008, and reply comments on or before August 28, 2008.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Joseph C. Chautin, III, Esq., Hardy, Carey, Chautin & Balkin, L.L.P., 1080 West Causeway Approach, Mandeville, LA 70471-3036.

#### FOR FURTHER INFORMATION CONTACT:

Joyce L. Bernstein,  
*Joyce.Bernstein@fcc.gov*, Media Bureau,  
(202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 08-30, adopted July 1, 2008, and released July 2, 2008. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002,

Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.622(i), the DTV Table of Allotments under Colorado, is amended by substituting channel 45 for channel 46 at Castle Rock.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 08-1487; MB Docket No. 08-118; RM-11455]

#### Television Broadcasting Services; Shreveport, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by Louisiana Educational Television Authority ("LETA"), the licensee of noncommercial educational station KLTS-DT, DTV channel \*25, Shreveport, Louisiana. LETA requests the substitution of DTV channel \*24 for channel \*25 at Shreveport.