

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Expanding the Economic and Innovation) Docket No. 12-268
Opportunities of Spectrum Through)
Incentive Auctions)

**MOTION FOR EXTENSION OF TIME
OF CTIA – THE WIRELESS ASSOCIATION
AND THE NATIONAL ASSOCIATION OF BROADCASTERS**

CTIA – The Wireless Association (“CTIA”)¹ and the National Association of Broadcasters (“NAB”)² hereby respectfully submit this request for a limited extension of the comment and reply comment deadlines established by the Federal Communications Commission (“FCC” or “Commission”) in the above-captioned proceeding, currently set for December 21, 2012, and February 19, 2013, respectively. Pursuant to Section 1.46 of the Commission’s rules,³ CTIA and NAB together request a one month extension of the deadlines such that comments would be due no later than January 25, 2013, and reply comments would be due no later than March 26, 2013. A limited extension is in the public interest to allow interested parties the time necessary to address the complicated economic, engineering, and policy issues raised by the Incentive Auction Notice of Proposed Rulemaking (“NPRM”),⁴ and to assist the Commission in discharging its responsibilities under the Middle Class Tax Relief and Job Creation Act of 2012 (“Spectrum Act”).⁵

The Incentive Auction NPRM seeks stakeholder input on a wide range of issues with respect to the incentive auction authorized by Congress in the Spectrum Act. These issues include, but are not limited to: (1) the structure and timing of the reverse

¹ CTIA is an international nonprofit membership organization that represents the wireless communications industry since 1984 at all levels of government. Membership in the association includes wireless carriers and their suppliers, as well as providers and manufacturers of wireless data services and products.

² NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and broadcast networks before Congress, the Federal Communications Commission and other federal agencies, and the courts.

³ 47 C.F.R. § 1.46(b).

⁴ See *In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, Notice of Proposed Rulemaking*, 2012 WL 4712202 (Oct. 2, 2012) (“*Incentive Auctions NPRM*”).

⁵ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §§ 6402, 6403, 125 Stat. 156 (2012).

and forward voluntary auctions; (2) the process for relocating television broadcasters who do not participate in the auction; (3) the resulting band plan from the auction; and (4) the method for compensating television broadcasters who are required to relocate following the auction. Not only are there numerous complex issues to tackle, but as the Commission notes, “[t]he broadcast television spectrum incentive auction will be the first such auction ever attempted worldwide.”⁶ The novelty and uniqueness of this auction require that all interested parties thoroughly digest and analyze the complex set of issues presented in order to ensure that the auction has the best chance for success.

Although we seek an extension of time, we believe that this additional period will ultimately expedite the process rather than delay it. Industry is currently engaged in productive discussions that will likely lead to concrete proposals that may garner broad support for the Commission to consider. Our primary aim is to produce a record that allows the Commission to benefit from the considerable experience and expertise of our respective members, and from those from around the broadcast, wireless, and technology industries, as well as the public interest community. We believe strongly that granting this extension request will enable all parties to submit comments to the Commission that are meaningful as well as constructive. Retaining the original deadline, however, will likely result in comments containing incomplete analysis and uncertain conclusions, thereby requiring another round of comments and causing even lengthier delay.

CTIA and NAB recognize that requests to extend filing deadlines are not routinely granted, although we note that the Commission often has found that a comment pleading cycle extension is warranted when necessary to ensure the Commission receives full and informed responses and that affected parties have a meaningful opportunity to develop a complete record for the Commission’s consideration.⁷ We believe that, in light of the challenging task the Commission has before it, this rulemaking is one of those instances.

For the foregoing reasons, an extension of time will help ensure the development and submission of a more robust and meaningful record for the Commission to consider, and one that will allow the Commission to meet its duties under the Spectrum Act expeditiously.

⁶ *Incentive Auctions NPRM*, 2012 WL 4712202, at *2.

⁷ See, e.g., Media Bureau Grants Extension of Time to File Comments and Reply Comments In Response to Broadcast Localism Notice of Proposed Rulemaking, Public Notice, MB Docket No. 04-233, DA 08-515 (MB 2008) (stating that “we agree that an extension of the comment and reply comment period is warranted to enable commenters to adequately review, investigate, and comment on the specific issues raised in the NPRM and respond to the extensive comments filed in response thereto”); Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers, *Order*, 20 FCC Rcd 19868, ¶ 3 (WTB 2005); Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands, *Order*, 23 FCC Rcd 10527, ¶ 4 (WTB 2008); Elimination of Rate-of-Return Regulation of Incumbent Local Exchange Carriers, Federal-State Joint Board on Universal Service, *Order*, 18 FCC Rcd 26307, ¶ 2 (WCB 2003); Telephone Number Portability, *Order*, 18 FCC Rcd 26604, ¶ 2 (WCB 2003).

Respectfully submitted,

National Association of Broadcasters
1771 N Street, NW
Washington, DC 20036
(202) 429-5430

CTIA – The Wireless Association
1400 16th Street, NW, Suite 600
Washington, DC 20036
(202) 736-3200

By: /s/ Rick Kaplan
Rick Kaplan
Executive VP, Strategic Planning

By: /s/ Christopher Guttman-McCabe
Christopher Guttman-McCabe
Vice President, Regulatory Affairs

November 20, 2012