

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
LightSquared Subsidiary LLC)	SAT-MOD-20101118-00239
)	
Request for Modification of Its Authority for an)	
Ancillary Terrestrial Component)	

**REQUEST FOR EXTENSION OF COMMENT AND
REPLY COMMENT DEADLINES**

CTIA – The Wireless Association® (“CTIA”) hereby respectfully submits this request for an extension of the comment and reply comment deadlines in the above-captioned proceeding, currently set for November 29, 2010 and December 6, 2010.¹ In this proceeding, LightSquared Subsidiary LLC (“LightSquared”) has requested modification of its authority to provide Ancillary Terrestrial Component (“ATC”) service to expand how “integration” is interpreted. CTIA hereby requests a one-week extension of time such that comments would be due no later than December 6, 2010 and reply comments be due no later than December 13, 2010. A short-term extension is in the public interest to allow interested parties to meaningfully address the issues raised by LightSquared’s request, and even the requested extended timeframe for comments is still shorter than the normal deadlines associated with satellite space station modification applications.

On November 18, 2010, LightSquared filed a letter providing “an update of its plans for offering an integrated service consisting of mobile satellite service (‘MSS’) and MSS-ancillary

¹ See FCC Public Notice, Report No. SAT-00738 (rel. Nov. 19, 2010) (“Notice”).

terrestrial component service (‘ATC’) service.”² In the *LightSquared Request*, LightSquared set forth why it believes its proposed offering is consistent with the requirement that LightSquared provide ATC services “integrated” with an MSS offering. Notably, LightSquared did not request expedited treatment of its request or provide any factual discussion of why expedition would be necessary. Indeed, LightSquared itself has requested that its request be treated as “permit-but-disclose” to, among other thing, “facilitate the development of a complete record.”³ Because this interpretation involves novel issues of how “integration” should be interpreted, the International Bureau has treated the *LightSquared Request* as a request for modification of LightSquared’s ATC authority.

CTIA and its members have supported policies and rules designed to further MSS spectrum flexibility. However, like the International Bureau, CTIA believes that LightSquared’s request is an issue of first impression and therefore the Commission’s action implicates creation of new precedent with significant legal, regulatory, and policy effects. On that basis, CTIA believes that the Commission should ensure the development of a full and informed record before it proceeds. Importantly, as previously noted, LightSquared itself has suggested that the Commission should take special measures to “facilitate the development of a complete record.”⁴

In addition, a variety of factors have conspired to make it difficult for parties to develop informed responses to the *LightSquared Request*. As an initial matter, the deadlines provided in the *Notice* are extremely short—unlike most satellite modification filings, where a 30 day comment period is typical, the agency has provided only a 10 day period for the filing of

² Letter from Jeffrey J. Carlisle, Exec. V.P., Regulatory Affairs and Public Policy, LightSquared Subsidiary LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission (dated Nov. 18, 2010) (“*LightSquared Request*”) at 1.

³ *Id.* at 10.

⁴ *Id.*

comments.⁵ While in other circumstances, such a short period might not be prejudicial, in this case, the application was placed on Public Notice the day after it was filed.⁶ And, while a 10 day filing period may even be sufficient in many cases notwithstanding those factors, in this case the Public Notice was not available until late in the day on Friday, November 19, and many parties did not actually see the Notice until Monday, November 22. Considering that the Thanksgiving Holiday is Thursday, November 25th, and that many people travel and take off the following Friday, the practical impact is that many interested parties will have had only three business days to consider the request prior to the Monday filing deadline.

CTIA recognizes that requests to extend filing deadlines are not routinely granted, but the Commission has previously found that an extension is warranted when necessary to ensure that 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 Under these

⁵ See 47 C.F.R. § 25.154. Indeed, Section 25.154 contemplates that the FCC may “otherwise extend[] the deadline,” but does not, in a similar manner, reference truncating the deadline. And, a review of satellite modification Public Notices suggests that, as a practical matter, it is very rare for the Bureau to provide only a 10 day filing period.

⁶ In other cases, interested parties may have been alerted to filings by the press or through courtesy copies provided prior to an application being placed on Public Notice, but here the extremely short time between filing and the Notice did not permit that to occur

⁷ See, e.g., *Wireless Telecommunications Bureau Grants Extension of Time to File Reply Comments on Commercial Mobile Radio Services Market Competition*, Public Notice, WT Docket No. 09-66, DA 09-1419 (WTB rel. June 24, 2009) (granting 14-day extension in order for “development of a complete record on the issues”); *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) (“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).

circumstances, CTIA believes that the proposed extension of time is appropriate, as it will allow interested parties to fully assess the impact of the proposed modification by LightSquared.

For the foregoing reasons, an extension of time will help ensure the development and submission of a more thorough and meaningful record for the Commission to consider.

Respectfully submitted,

CTIA – The Wireless Association®

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November 24, 2010

CERTIFICATE OF SERVICE

I, Kimberly Riddick, do hereby certify that on this 24th day of November, 2010, I caused copies of the foregoing “Request Request For Extension Of Comment And Reply Comment Deadlines” to be served on the following, First-Class Mail, postage pre-paid:

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By: /s/ Kimberly Riddick

* Copy also sent via email.