

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Wireless Telecommunications Bureau)	WT Docket No. 02-86
Seeks Comment on Petition Filed by)	
AirCell, Inc. for Extension of Waiver)	

ORDER

Adopted: April 21, 2003

Released: April 22, 2003

By the Chief, Commercial Wireless Division, Wireless Telecommunications Bureau:

I INTRODUCTION

1. On March 11, 2003, the Wireless Telecommunications Bureau released a Public Notice seeking comment on a petition filed by AirCell, Inc. (AirCell) and its cellular licensee partners, which requests an extension of the period and scope of the waiver granted to AirCell of section 22.925 of the Commission's rules.¹ This Public Notice established a deadline of April 10, 2003 for filing comments and a deadline of April 25, 2003 for filing reply comments. On April 14, 2003, AirCell filed a Motion for Extension of Time ("Motion") requesting, pursuant to Section 1.46 of the Commission's rules, a 45-day extension for filing reply comments in this proceeding.

2. It is the policy of the Commission that requests for extensions of time are not routinely granted.² In this case, however, AirCell has shown good cause for extending the deadline for reply comments. AirCell contends, in its Motion, that we should extend the reply comment filing deadline for 45 days so that it can review, analyze, and respond to the over 500 pages of comments filed jointly by AT&T Wireless Services, Cingular Wireless LLC, and Cellco Partnership d/b/a Verizon Wireless ("Opposing Carriers"), including over 400 pages of technical material.³ We find that, in this circumstance, appropriate review of technical comments of this extent may reasonably take more than the 15 days originally allotted, and that it is therefore in the public interest to grant AirCell's Motion in order to permit parties to provide the Commission with a more informed response to those comments. We also note that the Opposing Carriers do not oppose this request for additional time to reply and that granting this extension will not prejudice any party. Accordingly, we grant AirCell's Motion for a 45-day extension of the deadline for filing reply comments, and we extend the deadline for filing reply comments to June 9, 2003.

II. ORDERING CLAUSE

3. Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of the Communications Act

¹ Wireless Telecommunications Bureau Seeks Comment on Petition Filed by AirCell, Inc. for Extension of Waiver, Public Notice DA 03-721 (rel. Mar. 11, 2003).

² See 47 C.F.R. § 1.46(a).

³ Motion of AirCell, Inc. for Extension of Time to file reply comments in response to the Public Notice relating to AirCell's Petition for Extension of Waiver, filed April 14, 2003.

of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.131, 0.331, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, 1.46, the Motion for Extension of Time filed by AirCell, Inc. in the above-captioned proceeding is GRANTED.

4. IT IS FURTHER ORDERED that the deadline for filing reply comments in the above-captioned proceeding is extended to June 9, 2003.

FEDERAL COMMUNICATIONS COMMISSION

William W. Kunze
Chief, Commercial Wireless Division
Wireless Telecommunications Bureau