

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

In the Matter of	)	
	)	
Qualcomm Incorporated	)	WT Docket No. 05-7
Petition for Declaratory Ruling	)	

**ORDER**

**Adopted:** February 14, 2005

**Released:** February 15, 2005

**Comment Date:** March 10, 2005

**Reply Comment Date:** March 25, 2005

By the Chief, Mobility Division:

1. On January 18, 2005, the Commission released a Public Notice establishing the pleading cycle for comments and reply comments in the above-captioned docket.<sup>1</sup> The deadline for comments was February 17, 2005, and the deadline for reply comments was March 4, 2005.<sup>2</sup>

2. On February 11, 2005, the National Association of Broadcasters and the Association for Maximum Service Television, Inc. (“Movant”) jointly filed a Motion for Extension of Time to extend the date for comments by 21 days, and the date for reply comments by 21 days.<sup>3</sup> According to the Movant, this extension is necessary to afford them and their local member stations an adequate opportunity to conduct analyses of the “important and complex engineering and legal questions” raised by Qualcomm’s Petition for Declaratory Ruling.<sup>4</sup>

3. On February 14, 2005, Pappas Southern California License, LLC filed supporting comments on the Motion.<sup>5</sup> Qualcomm meanwhile filed an Opposition to the joint Motion, arguing that the Movant’s justification is inadequate, and that any delay in the resolution of the

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<sup>1</sup> Pleading Cycle Established for Qualcomm Incorporated Petition for Declaratory Ruling, WT Docket No. 05-7, Public Notice, DA 05-87 (WTB/MD rel. Jan. 18, 2005).

<sup>2</sup> *Id.*

<sup>3</sup> National Association of Broadcasters and Association for Maximum Service Television, Inc., Motion for Extension of Time in WT Docket No. 05-7 (filed Feb. 11, 2005).

<sup>4</sup> *Id.* at 1-2.

<sup>5</sup> Pappas Southern California License, LLC, Supporting Comments Regarding Motion for Extension of Time (filed Feb. 14, 2005).

proceeding will hinder the ability of Qualcomm and other 700 MHz licensees to develop business plans and deploy their systems.<sup>6</sup>

4. It is the policy of the Commission that extensions of time are not routinely granted.<sup>7</sup> Such extensions may be warranted when, among other things, a proceeding raises complex substantive matters, comments may prove to be voluminous, or the parties would not have sufficient time to analyze and respond to comments. In the instant proceeding, we note that Qualcomm's request is relatively novel, and raises complex technical and legal questions. Furthermore, the parties potentially affected by Qualcomm's request include numerous local broadcasters nationwide. We find that granting the Movant and others an additional 21 days to comment provides a necessary and sufficient amount of time to build a meaningful record.

5. Accordingly, IT IS ORDERED that, pursuant to authority found in section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.91, 0.331 and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.331, 1.46, the joint Motion for Extension of Time IS GRANTED to establish a new comments deadline of **March 10, 2005**, and a new reply comments deadline of **March 25, 2005**.

FEDERAL COMMUNICATIONS COMMISSION

Roger Noel  
Chief, Mobility Division  
Wireless Telecommunications Bureau

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<sup>6</sup> Qualcomm Incorporated, Opposition to Motion for Extension of Time in WT Docket No. 05-7 at 1-2 (filed Feb. 14, 2005).

<sup>7</sup> See 47 C.F.R. § 1.46(a).