

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

In the Matter of
RC TECHNOLOGIES CORPORATION
Request for Permanent Waiver of Commission
Rules Regarding Transition of Broadband Radio
Service and Educational Broadband Service to
Revised Band Plan
DA 07-2170

ORDER

Adopted: July 10, 2007

Released: July 10, 2007

By the Deputy Chief, Broadband Division, Wireless Telecommunications Bureau:

1. On May 24, 2007, the Chief, Broadband Division, Wireless Telecommunications Bureau, released a public notice seeking comment on the above-captioned waiver request filed by RC Technologies Corporation (RC). Initial comments were due June 25, 2007, and reply comments are due on or before July 10, 2007. On June 25, 2007, comments in opposition to the waiver request were filed by Sioux Valley Rural Television, LLC d/b/a Sioux Valley Wireless (Sioux Valley), Data Truck, LLC (Data Truck), and Clearwire Corporation (Clearwire). In addition, Clearwire, Sprint Nextel Corporation, Xanadoo, LLC, and NextWave Wireless, Inc. submitted a joint letter addressing RC's waiver request and other similar requests.

2. On July 5, 2007, RC filed a motion for extension of time to extend the date for filing reply comments to July 31, 2007. RC claims that additional time is needed to fully consider and respond to the issues raised in the oppositions. In particular, RC notes that each party has raised engineering objections

1 Wireless Telecommunications Bureau Seeks Comment on Request by RC Technologies Corporation for Waiver of the Requirement to Transition to the New BRS/EBS Band Plan, Public Notice, 22 FCC Rcd 9364 (WTB BD 2007).

2 Id.

3 Opposition, Sioux Valley Rural Television, LLC d/b/a Sioux Valley Wireless (filed Jun. 25, 2007).

4 Opposition, Data Truck, LLC (filed Jun. 25, 2007).

5 Opposition to and Comments on Request for Waiver, Clearwire Corporation (filed Jun. 25, 2007).

6 Letter from Terri B. Natoli, Vice President, Regulatory Affairs and Public Policy, Clearwire Corporation; Trey Hanbury, Director, Spectrum Proceedings, Sprint Nextel Corporation; Cheryl Crate, Vice President, Government and Public Relations, Xanadoo LLC; and Jennifer M. McCarthy, Vice President, Regulatory Affairs, NextWave Wireless, Inc. to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission (filed Jun. 25, 2007).

7 Motion for Extension of Time to Reply to Oppositions, RC Technologies Corporation (filed Jul. 5, 2007) (Extension Request).

8 Id. at 1.

that raise concerns to each party, and that a solution to one party's concerns may affect another party.⁹ RC also represents that Sioux Valley, Data Truck, and Clearwire consent to the Extension Request.¹⁰ No party has opposed the request.

3. It is the policy of the Commission that extensions of time are not routinely granted.¹¹ Such extensions may be warranted when, among other reasons, the additional time will serve the public interest. In the present instance, we grant RC's Extension Request and extend the deadline to file reply comments to July 31, 2007. We find that providing a limited extension would serve the public interest by allowing RC to fully consider the arguments raised in the oppositions and prepare a concise but thorough reply.

4. 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 Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, that the Motion for Extension of Time to Reply to Oppositions on July 5, 2007 IS GRANTED, and the time for filing reply comments in this proceeding IS EXTENDED TO July 31, 2007.

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

John J. Schauble
Deputy Chief, Broadband Division
Wireless Telecommunications Bureau

⁹ *Id.* at 1-2.

¹⁰ *Id.* at 2.

¹¹ *See* 47 C.F.R. § 1.46(a).