

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

In the Matter of)	
)	
)	WT Docket No. 03-187
Effects of Communications Towers on Migratory)	
Birds)	
)	

ORDER

Adopted: January 12, 2007

Released: January 12, 2007

Comment Date: April 23, 2007

Reply Comment Date: May 23, 2007

By the Chief, Wireless Telecommunications Bureau:

1. On November 7, 2006, the Commission released a *Notice of Proposed Rulemaking* establishing the pleading cycle for comments and reply comments in the above-captioned docket.¹ The deadline for comments was January 22, 2007, and the deadline for reply comments was February 20, 2007.²

2. On January 8, 2007, American Bird Conservancy, CTIA—The Wireless Association, Defenders of Wildlife, Environmental Defense, National Association of Broadcasters, National Audubon Society, the National Association of Tower Erectors, and PCIA—The Wireless Infrastructure Association jointly filed a Motion for Extension of Time to extend the dates for comments and reply comments by 90 days, to April 23, 2007 and May 23, 2007, respectively.³ These parties assert that they have been engaged in a “dialogue related to avian tower safety,” and that granting this extension would “advance the public interest by ultimately resulting in a record that more clearly and fully reflects the areas of agreement and disagreement between the parties and allows the FCC to more effectively address the remaining open issues” raised by the *Notice of Proposed Rulemaking*.⁴

3. It is the policy of the Commission that extensions of time are not routinely granted.⁵ Such extensions may be warranted when, among other things, the additional time will serve the public

¹ In the Matter of Effects of Communications Towers on Migratory Birds, WT Docket No. 03-187, *Notice of Proposed Rulemaking*, 21 FCC Red. 13241 (2006).

² See In the Matter of Effects of Communications Towers on Migratory Birds, 71 Fed. Reg. 67510 (Nov. 22, 2006).

³ Joint Motion for Extension of Time for Interested Parties to File Comments in WT Docket No. 03-187 (filed Jan. 8, 2007).

⁴ *Id.* at 1.

⁵ See 47 C.F.R. § 1.46(a).

interest. In the instant proceeding, we note that the parties requesting this extension consist of several of the most active participants in this docket, and include representatives of both environmental groups and industry trade organizations. Given that they are in agreement that the additional time would be beneficial to conduct discussions related to avian tower safety, we find that providing the extension requested in this Motion serves the public interest.

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 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 IS GRANTED to establish a new comments deadline of **April 23, 2007**, and a new reply comments deadline of **May 23, 2007**.

FEDERAL COMMUNICATIONS COMMISSION

Fred B. Campbell, Jr.
Chief
Wireless Telecommunications Bureau