



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 09-2417

Released: November 13, 2009

MEDIA BUREAU ACTION

EXTENSION OF TIME GRANTED FOR COMMENTS REGARDING THE PETITION SEEKING A DECLARATORY RULING THAT THE HAZELTON, PENNSYLVANIA ORDINANCE GOVERNING SATELLITE ANTENNA INSTALLATION IS PREEMPTED BY THE COMMISSION'S OVER-THE-AIR RECEPTION DEVICES RULE

RESPONSES NOW DUE: December 31, 2009
REPLIES NOW DUE: January 19, 2010

On October 22, 2009, the Commission sought comment on a Petition for Declaratory Ruling filed by the Satellite Broadcasting and Communications Association of America, Inc., Antenna Star Satellites, Inc., and Johnson TV & Satellite ("Petitioners") asking the Commission to determine whether satellite antenna restrictions of Hazelton, Pennsylvania ("City") are preempted by Section 1.4000 of the Commission's Rules (Over-the-Air Reception Devices Rule).¹ On November 11, 2009, the City requested an extension of time in which to file responses or comments with respect to the Petition.² The City states that the requested extension would allow sufficient time for it to take official action to withdraw the challenged ordinance. This additional time will also allow Petitioners an opportunity to consider whether to withdraw their Petition in the event the challenged ordinance is withdrawn. All Petitioners support the extension request.³

Accordingly, the time to file a response to the Petition is extended from November 24, 2009 to on or before **December 31, 2009**, and the time to file replies is extended to on or before **January 19, 2010**. Please place the case identifier, **CSR- 8232-O**, on all filings.

For purposes of our *ex parte* rules, this proceeding will be considered as non-restricted pursuant to Section 1.1206 of the Commission's Rules ("Permit-but-disclose proceeding").

An original and two copies of all filings should be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W.,

¹ *Petition Seeking Declaratory Ruling That the Hazelton, Pennsylvania Ordinance Governing Satellite Antenna Installation is Preempted by the Commission's Over-The-Air Reception Devices Rule*, Public Notice, DA 09-2273 (MB Oct. 22, 2009).

² Letter from counsel for the City of Hazelton, Pennsylvania dated November 11, 2009.

³ *Id.*

Suite TW-A325, Washington, D.C. 20554. Attn: Media Bureau, Policy Division. One copy of responses, replies, or other communications must be served on all participants in the case.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Copies of the petitions and other filings in this proceeding will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, telephone (202) 418-0270.

Copies of filed documents may be obtained from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300 or (800) 378-3160, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com; or via their website at FCC@BCPIWEB.COM.

Media Contact: Janice Wise (202) 418-8165.

Media Bureau Contact: Rosalee Chiara (202) 418-0754

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