

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

In the Matter of)
)
International Bureau Report to Congress) IB Docket No. 10-70
Regarding The Orbit Act)
)
)
)
)

ORDER EXTENDING COMMENT PERIOD

Adopted: April 14, 2010

Released: April 14, 2010

By the Chief, International Bureau:

1. On April 13, 2010, Intelsat LLC (Intelsat) filed a request for a two-week extension of time – until April 28, 2010 – to file reply comments on the Commission’s Section 646 of the Open-Market Reorganization for the Betterment of International Telecommunications Act (“the ORBIT Act”), 47 U.S.C. § 646, report to Congress.¹ For the reasons discussed below, we partially grant Intelsat’s request and extend the reply comment period for one week, to April 21, 2010.

2. In its request, Intelsat notes that the period for ORBIT Act comments ended on April 7, 2010, but that the comments by other parties are “somewhat lengthy” and states that it needs additional time to complete a thorough review of the filed comments.²

3. In response to Intelsat, ARTEL, Inc. (ARTEL) and Globecomm Systems Inc. (Globecomm) oppose Intelsat’s two-week extension request.³ ARTEL and Globecomm state that Section 1.46 of the Commission’s rules requires “that a motion for an extension of time in which to reply to comments must be filed at least seven days before the filing deadline,”⁴ which Intelsat failed to do in making its request two days prior to the reply comment deadline. ARTEL and Globecomm also contend that Intelsat’s extension request is not due to “an emergency of any type” and that an extension request based upon a

¹ See Intelsat Request for Extension of Reply Comments Deadline (filed Apr. 12, 2010) (*Intelsat Surreply Request*). See also International Bureau Information: Report to Congress Regarding The Orbit Act, IB Docket No. 10-70, Public Notice, Report No. SPB-234, DA 10-448 (rel. Mar. 17, 2010).

² See *Intelsat Request* at 1-2.

³ See Oppositions to Intelsat’s Request for Extension of Time to Reply (filed Apr. 13, 2010) (*Oppositions to Extension*).

⁴ See *id.*, at 1 n.4.

desire to “thoroughly review” filed comments does not qualify as an emergency under Section 1.46.⁵ ARTEL and Globecom argue that, should the Commission decide to grant Intelsat’s request, Intelsat should only be given five additional days, to April 19, 2010 and not April 28, 2010. Additionally, ARTEL and Globecom request that, in the event Intelsat is granted an extension, they be allowed to file surreplies in response to any Intelsat reply.⁶ ARTEL and Globecom contend that, Intelsat did not file initial comments and by requesting for more time during the reply period, Intelsat is attempting to “insulate” itself from its obligation to report the impact of its privatization as required by the ORBIT Act.⁷ ARTEL and Globecom contend that allowing surreplies would benefit “the Commission by allowing other industry participants to scrutinize matters raised *for the first time* by Intelsat and provide the Commission with a full and complete record.”⁸

4. The Commission’s general policy is that extensions of time are not routinely granted.⁹ We do consider, in certain instances, requests for extension of time where we find that the public interest would be best served by a more complete discussion of the issues raised or to facilitate a more complete record. In this case we find that a one-week extension of time appropriately balances the interests of commenting parties, there is a public interest benefit in affording Intelsat a full opportunity to respond to the matters raised by the parties so that our report to Congress fully captures their responses, and that this brief extension of time will not unreasonably delay the preparation of a timely submission to Congress. Accordingly, we grant an extension of time for the filing of comments from April 14, 2010, to April 21, 2010.

5. IT IS HEREBY ORDERED that pursuant to Section 1.46 of the Commission’s Rules, 47 C.F.R. § 1.46, Intelsat’s request to extend the deadline for filing comments in this proceeding is GRANTED to the extent indicated.

6. This action is taken under delegated authority pursuant to Sections 0.51 and 0.261 of the Commission’s Rules, 47 C.F.R. §§ 0.51, 0.261.

FEDERAL COMMUNICATIONS COMMISSION

Mindel De La Torre
Chief
International Bureau

⁵ *Id.* at 2.

⁶ See Request for Leave to File Surreply (filed Apr. 13, 2010) (*Surreply Request*).

⁷ *Id.*

⁸ *Id.* (emphasis in original). The *Surreply Request* remains pending.

⁹ See 47 C.F.R. § 1.46(a).