

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

In the Matter of
Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act
MB Docket No. 11-93

ORDER

Adopted: June 30, 2011

Released: June 30, 2011

Revised Comment Date: July 8, 2011
Revised Reply Comment Date: July 21, 2011

By the Chief, Media Bureau

1. In this Order, the Media Bureau grants a request to extend the comment and reply comment due dates in the above-captioned proceeding. We find that a brief, three-day extension of the comment filing deadline is in the public interest.

2. On May 27, 2011, the Commission released its Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding, seeking public comment on its proposed rules to implement the Commercial Advertisement Loudness Mitigation ("CALM") Act. The NPRM set deadlines for filing comments and reply comments at 30 and 45 days after date of publication in the Federal Register. The NPRM was published in the Federal Register on June 3, 2011, establishing the initial comment date as July 5, and the initial reply comment date as July 18. By statute, the Commission must adopt final rules no later than December 15, 2011.

3. On June 29, 2011, the National Cable & Telecommunications Association ("NCTA") filed a request to extend by three days the comment and reply comment deadlines in this proceeding, until July 8, 2011, and July 21, 2011, respectively. In support of its motion, NCTA notes that the NCTA Convention, which was attended by many industry professionals, took place during the comment period, from June 13-16, 2011. NCTA asserts that "[a]dditional time would enable NCTA, its members, and other interested parties to provide a more complete factual and legal record in this proceeding."

1 Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act; MB Docket No. 11-93, Notice of Proposed Rulemaking, FCC 11-84 (rel. May 27, 2010) ("CALM Act NPRM").

2 The Commercial Advertisement Loudness Mitigation ("CALM") Act, Pub. L. No. 111-311, 124 Stat. 3294 (2010) (codified at 47 U.S.C. § 621).

3 See NPRM, 76 Fed. Reg. 32116, June 3, 2011. See also Public Notice, "Media Bureau Announces Comment and Reply Comment Dates for CALM Act Notice of Proposed Rulemaking; MB Docket No. 11-93," DA 11-995 (MB rel. Jun. 3, 2011).

4 See 47 U.S.C. § 621(a).

5 National Cable & Telecommunications Association ("NCTA") Motion for Extension of Time, MB Docket No. 11-93 (filed Jun. 30, 2011).

6 Id.

4. We grant NCTA's request for extension of time to file comments and reply comments. The Commission does not routinely grant extensions of time.⁷ In this case, however, we agree that a brief, three-day extension of the comment and reply comment period would help ensure that all interested parties have the time necessary to prepare full and informed comments and reply comments and find that such a modest extension would not cause any harm to any parties or to the Commission's ability to meet its statutory deadline. Accordingly, we hereby grant the above-described motion for extension of time and extend the comment filing deadline to July 8, 2011 and the reply comment deadline to July 21, 2011.

5. ACCORDINGLY, IT IS ORDERED that, pursuant to Sections 4(i), 4(j), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 303(r), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, and 1.46, the Motion for Extension of Time filed by the National Cable & Telecommunications Association IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

⁷ 47 C.F.R. § 1.46(a).