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

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

ORDER

Adopted: July 18, 2011   **Released: July 18, 2011**

Revised Reply Comment Date: **August 1, 2011**

By the Chief, Media Bureau:

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

    2.   On May 27, 2011, the Commission released its Notice of Proposed Rulemaking ("NPRM")[1] in the above-captioned proceeding, seeking public comment on its proposed rules to implement the Commercial Advertisement Loudness Mitigation ("CALM") Act.[2] Among other things, the CALM Act directs the Commission to incorporate by reference the Advanced Television Systems Committee, Inc. ("ATSC") A/85 Recommended Practice ("ATSC A/85 RP")[3] and make it mandatory "insofar as such recommended practice concerns the transmission of commercial advertisements by a television broadcast station, cable operator, or other multichannel video programming distributor."[4] The NPRM set the deadlines for filing comments and reply comments as July 5, 2011 and July 18, 2011, respectively.[5] On June 30, 2011, in response to a request by the National Cable and Telecommunications Association, the Media Bureau extended the filing deadlines until July 8, 2011, and July 21, 2011, respectively.[6] By statute, the Commission must adopt final rules no later than December 15, 2011.[7]

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[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* ATSC A/85: "ATSC Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television," (May 25, 2011) ("ATSC A/85 RP").

[4] *See* CALM Act § 2(a).

[5] *See* 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).

[6] *See Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*; MB Docket No. 11-93, Order, DA 11-1157 (MB rel. Jun. 30, 2011).

[7] *See* 47 U.S.C. § 621(a).

3.   On July 15, 2011, the ATSC filed a request to extend the reply comment deadline in this proceeding until August 1, 2011.[8] In support of its motion, ATSC explains that it plans to formally approve a successor document to the ATSC A/85 RP and will publish this document on their website at www.atsc.org on July 26, 2011.[9] ATSC asserts that the additional time would enable "ATSC, its member companies, and other interested parties the ability to provide a more complete factual and legal record in this proceeding."[10]

4.   We grant ATSC's request for an extension of the reply comment deadline. The Commission does not routinely grant extensions of time.[11] In this case, however, we agree that a brief extension of the reply comment period is warranted to allow interested parties an opportunity to review and provide comments on the successor document to the ATSC A/85 RP. Accordingly, we hereby grant the above-described motion for extension of time and extend the reply comment filing deadline to August 1, 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 Advanced Television Systems Committee, Inc. IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

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[8] Advanced Television Systems Committee, Inc. ("ATSC") Motion for Extension of Time, MB Docket No. 11-93 (filed Jul. 15, 2011).

[9] *Id*.

[10] *Id*.

[11] 47 C.F.R. § 1.46(a).