

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

In the Matter of )  
)  
City of Charlotte, North Carolina )  
Request for Declaratory Ruling: ) PS Docket No. 06-229  
Clarification of Public Safety Services )  
For Purposes of Eligibility to Operate on )  
700 MHz Public Safety Broadband Spectrum )  
)  
)  
)

ORDER

Adopted: April 11, 2011

Released: April 11, 2011

Before the Chief, Public Safety and Homeland Security Bureau:

1. On April 7, 2011, two business days before comments were due in the above captioned matter, Harris Corporation, the Telecommunications Industry Association, and the Utilities Telecom Council (“Joint Filers”) filed a motion for extension of time (“Motion”).<sup>1</sup> The Joint Filers seek an extension of 45 days for both comments and reply comments, asserting that such an extension is in the public interest to allow parties to address critical and substantial policy issues in both related to the Petition for Declaratory Ruling filed by Charlotte, North Carolina and technical questions presented in the *Third Report and Order and Fourth Further Notice of Proposed Rulemaking*.<sup>2</sup>

<sup>1</sup> Request for Extension of Time Expedited Action Requested, filed by Harris Corporation, the Telecommunications Industry Association, and the Utilities Telecom Council, PS Docket No. 06-229 (filed April 7, 2011).

<sup>2</sup> *Id.* at 1 (citing Public Safety and Homeland Security Bureau Seeks Comment on Petition for Declaratory Ruling Asking to Clarify the Scope of Section 337 Regarding the Use by State or Local Government Entities of the 700 MHz Public Safety Spectrum, *Public Notice*, PS Docket No. 06-229, 26 FCC Rcd 4040 (PSHSB 2011); Service Rules for the 698-746, 747-762 and 777-792 MHz Bands; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, Amendment of Part 90 of the Commission’s Rules, WT Docket No. 06-150, PS Docket No. 06-229, WP Docket No. 07-100, *Third Report and Order and Fourth Further Notice of Proposed Rulemaking*, 26 FCC Rcd 773 (2011)).

2. On April 8, 2011, the City of Charlotte, North Carolina (“Charlotte”), submitted an opposition to the Motion (“Opposition”).<sup>3</sup> Charlotte urges the Commission to deny the Motion, arguing that the Motion is untimely, procedurally defective, and otherwise fails to establish a substantive basis for the requested extension.<sup>4</sup>

3. Under Section 1.46(a) of the Commission’s rules,<sup>5</sup> it is the policy of the Commission that extensions of time shall not be routinely granted. We do not find that the circumstances presented here warrant granting an extension.

4. Accordingly, IT IS ORDERED, that the motion for extension filed by the Joint Filers is DENIED.

5. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission’s rules, 47 C.F.R. §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

James Arden Barnett, Jr., Rear Admiral (Ret.)  
Chief, Public Safety and Homeland Security Bureau

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<sup>3</sup> Opposition to Request for Extension of Time, filed by the City of Charlotte, North Carolina, PS Docket No. 06-229 (filed April 8, 2011).

<sup>4</sup> *Id.*

<sup>5</sup> 47 C.F.R. § 1.46(a).