



PUBLIC NOTICE

Federal Communications Commission
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DA 13-1560
Released: July 12, 2013

FCC EXTENDS REPLY COMMENT DATES FOR INDECENCY CASES POLICY

GN Docket No. 13-86

Reply Comment Date: August 2, 2013

On April 1, 2013, the Enforcement Bureau and the Office of General Counsel released a Public Notice seeking comment on whether the full Commission should make changes to its current broadcast indecency policies or maintain them as they are.¹ On May 11, 2013, the Enforcement Bureau and the Office of General Counsel released a second Public Notice that extended the deadlines for filing comments to June 19, 2013, and reply comments to July 18, 2013.²

On July 1, 2013, College Broadcasters, Inc. (CBI) filed a request to extend the deadline for filing reply comments by 15 days to August 2, 2013.³ To support its request for more time, CBI cited the substantial number of comments filed in the proceeding, the scope and complexity of the Notice, and its own limited budgets and staffing constraints during the summer portion of the academic year.⁴

¹ See *FCC Reduces Backlog of Broadcast Indecency Complaints by 70% (More than One Million Complaints); Seeks Comment on Adopting Egregious Cases Policy*, Public Notice, 28 FCC Rcd 4082 (Enf. Bur. and OGC 2013) (*Notice*). The *Notice* was published in the Federal Register on April 19, 2013, thereby establishing May 20, 2013, as the deadline for filing comments, and June 18, 2013, as the deadline for filing reply comments. 78 Fed. Reg. 23,563 (Apr. 19, 2013).

² See *FCC Extends Pleading Cycle For Indecency Cases Policy*, Public Notice, 28 FCC Rcd 6566 (Enf. Bur. and OGC 2013) (*Second Notice*). The *Second Notice* was published in the Federal Register on June 6, 2013. 78 Fed. Reg. 34,099 (June 6, 2013).

³ CBI, *Motion for Extension of Time* (July 1, 2013) (on file in GN Dkt. No. 13-86).

⁴ See *id.* at 1–2.

By this Public Notice, we grant CBI's request for additional time. We recognize the importance of affording all interested parties sufficient time to review the comments in the Docket and to prepare their reply comments. We also respect the interest of the public in having sufficient time for review and consideration of the various positions and concerns.

All comments should refer to GN Docket No. 13-86. Comments may be filed using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. Comments can be filed through the Commission's ECFS filing interface located at the following Internet address: <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number, in this case GN Docket No. 13-86. Parties who choose to file by paper must file an original and two copies of each filing.

For paper copies, 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). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 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 mail, Express Mail, 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 and Governmental Affairs Bureau at (202) 418-0530, (202) 418-0432 (TTY).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁶ Other rules

⁵ See 47 C.F.R. §§ 1.1200, 1.1206.

⁶ See 47 C.F.R. § 1.1206(b).

pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission's rules.⁷

For further information about this Public Notice, please contact Eloise Gore, Associate Bureau Chief, Enforcement Bureau, at (202) 418-1066, or Jacob Lewis, Associate General Counsel, Office of the General Counsel, at (202) 418-1767.

Please direct press inquiries to Mark Wigfield at (202) 418-0253.

By the Acting Chief, Enforcement Bureau and the General Counsel.

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⁷ *Id.*