

**Before the
Federal Communications Commission
WASHINGTON, D.C. 20554**

In the Matter of)
)
Improving Public Safety Communications in the) WT Docket 02-55
800 MHz Band)

ORDER

Adopted: April 10, 2014

Released: April 10, 2014

By the Deputy Chief, Policy and Licensing Division, Public Safety And Homeland Security Bureau:

1. By this order, we dismiss, as untimely, the Opposition to Further Request for Extension of Time, filed April 4, 2014 by Sprint Nextel Corporation (Sprint). Sprint sought to oppose the request of Maricopa County, Arizona for additional time to submit its cost estimate to the 800 MHz Transition Administrator.

2. Section 1.45 of the Commission's rules provides that oppositions to any motion, petition, or request be filed within 10 days of the filing date of the underlying pleading.¹ Maricopa filed its waiver request on March 10, 2014, causing oppositions to be due no later than March 20, 2014. Sprint's filing was thus untimely by 15 days. In its opposition, Sprint acknowledges that the filing is untimely, and asks for a waiver or leave to file its opposition. Sprint states that its opposition should be accepted because it provides the Public Safety and Homeland Security Bureau with relevant information that Maricopa did not provide in support of its Further Request for Extension.

3. We do not find this argument persuasive. Sprint fails to explain why it could not have filed sooner, and its assertion that this represents a unique circumstance is insufficient to overcome "the policy of the Commission that extensions of time shall not be routinely granted."² We therefore deny Sprint's request and dismiss its opposition.

4. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.191, 0.392, 1.46 and 90.677 of the Commission's rules, 47 C.F.R. §§ 0.191, 0.392, 90.677, the request for waiver or leave to file filed by Sprint IS DENIED.

5. It is FURTHER ORDERED, that the Sprint Opposition To Further Request For Extension of Time, filed by Sprint IS DISMISSED.

6. 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

Michael J. Wilhelm
Deputy Chief,
Policy and Licensing Division
Public Safety and Homeland Security Bureau

¹ 47 C.F.R. § 1.45.

² 47 C.F.R. § 1.46. *See, e.g.,* Association for Community Education, Inc., *Memorandum Opinion and Order*, 19 FCC Rcd 12682, 12684 (2004) (dismissing opposition late-filed by 30 days).