



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS AND PUBLIC SAFETY AND HOMELAND SECURITY BUREAUS EXTEND COMMENT AND REPLY COMMENT DEADLINES FOR THE 4.9 GHZ SEVENTH FURTHER NOTICE OF PROPOSED RULEMAKING

WP Docket No. 07-100

Revised Comment Date: January 13, 2021

Revised Reply Comment Date: February 12, 2021

On September 30, 2020, the Commission released a Sixth Report and Order and Seventh Further Notice of Proposed Rulemaking (*4.9 GHz Sixth R&O and Seventh FNPRM*) in the above captioned proceeding.¹ The *4.9 GHz Seventh NPRM* was published in the Federal Register on November 30, 2020, establishing the comment due date of December 30, 2020, and reply comment due date of January 29, 2021.² On December 7, 2020, the American Association of State Highway and Transportation Officials (AASHTO), citing resource constraints associated with responding to the ongoing COVID-19 pandemic, requested an extension of the comment deadline to January 29, 2020.³ On December 14, 2020, the Land Mobile Communications Council (LMCC) requested an extension of the comment deadline to February 26, 2021 to allow interested parties sufficient time to develop thoughtful input on the *4.9 GHz Seventh FNPRM*.⁴ LMCC asserts that its members are facing the same COVID-related time and resource constraints identified by AASHTO.⁵

It is the general policy of the Commission that extensions of time shall not be routinely granted.⁶ Based on the arguments presented by LMCC and AASHTO, however, we conclude that a limited 14-day

¹ See *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100, Sixth Report and Order and Seventh Further Notice of Proposed Rulemaking, FCC 20-137 (2020) (*4.9 GHz Sixth R&O and Seventh FNPRM*).

² Federal Communications Commission, 4.9 GHz Band Proposed Rule Summary, 85 Fed. Reg. 76505 (November 30, 2020).

³ Letter from Jim Tymon, Executive director, AASHTO to Ms. Marlene Dortch, Secretary, Federal Communications Commission, WP Docket No. 07-100 (filed December 7, 2020) (AASHTO Extension Request). See also Letter from Ralph A. Haller, Chairman, National Public Safety Telecommunications Council to Ms. Marlene Dortch, Secretary, Federal Communications Commission, WP Docket No. 07-100 (filed December 14, 2020) (Supporting AASHTO's requested extension).

⁴ Letter from Klaus Bender, President, LMCC to Ms. Marlene Dortch, Secretary, Federal Communications Commission, WP Docket No. 07-100 (filed December 14, 2020) (LMCC Extension Request). LMCC notes that it supports AASHTO's extension request but recommends a further extension to February 26, 2021.

⁵ *Id.* at 2.

⁶ 47 CFR § 1.46(a).

extension of the comment and reply comment deadlines is warranted to facilitate the development of a comprehensive record in this proceeding.⁷ Interested parties can use this time to develop complete, fully supported comments and reply comments. We do not, however, find that an extension of time beyond 14 days is warranted. The Commission released the *4.9 GHz Seventh FNPRM* on October 2, 2020.⁸ Therefore, by the extended comment deadline, interested stakeholders will have had over three months to review, and prepare responses to, the issues presented in the *4.9 GHz Seventh FNPRM*. AASHTO, NPSTC, and LMCC do not allege any COVID-specific challenges that they have faced that warrant an additional extension of time. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended,⁹ and Section 1.46 of the Commission's rules,¹⁰ we extend the deadline for filing comments to January 13, 2021 and reply comments to February 12, 2021.

For further information, please contact Becky Tangren at becky.tangren@fcc.gov or (202) 418-7078.

Action by the Chief, Wireless Telecommunications Bureau, and by the Chief, Public Safety and Homeland Security Bureau.

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⁷ The AASHTO Extension Request does request an extension of the reply comment deadline and LMCC notes that it assumes that the reply comment deadline would be extended until 30-days after the revised comment date. *See* LMCC Extension Request at note 2.

⁸ *See 4.9 GHz Seventh FNPRM*.

⁹ 47 U.S.C. § 154(i).

¹⁰ 47 CFR § 1.46.