

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

In re:)
)
Auction of Flexible-Use Service Licenses in the 2.5 GHz Band for Next-Generation Wireless Services) AU Docket No. 20-429)

ORDER

Adopted: May 17, 2021

Released: May 17, 2021

By the Chief, Auctions Division, Office of Economics and Analytics:

1. By this Order, we grant a motion to extend by 10 days the deadline for filing reply comments in response to the *Auction 108 Comment Public Notice* regarding procedures to be used for Auction 108, the auction of flexible-use, geographic overlay licenses in the 2.5 GHz band.¹ By granting the motion, reply comments are now due on May 27, 2021.

2. On January 13, 2021, the Commission released the *Auction 108 Comment Public Notice*, which set deadlines for filing comments and reply comments at 60 and 75 days, respectively, after publication in the Federal Register.² Concurrent with the release of the *Auction 108 Comment Public Notice*, the Office of Economics and Analytics and the Wireless Telecommunications Bureau released a list of licenses potentially available to be offered in Auction 108, along with proposed upfront payments and minimum opening bids.³ On March 2, 2021, the Office of the Federal Register published a summary of the *Auction 108 Comment Public Notice*, which established the deadlines for comments and reply comments as May 3, 2021 and May 17, 2021, respectively.⁴

3. We received 17 comments in response to the *Auction 108 Comment Public Notice*, including from T-Mobile, which claimed that the Commission's list of potential licenses to be auctioned omitted licenses that should be available for bidding and included licenses that should not be available.⁵ On May 10, 2021, Fish & Richardson, P.C. (Fish) filed a motion to extend the reply comment filing deadline by 10 days.⁶ Fish claims that its clients need additional time to review the proposed license

¹ *Auction of Flexible-Use Service Licenses in the 2.5 GHz Band for Next-Generation Wireless Services; Comment Sought on Competitive Bidding Procedures for Auction 108*, AU Docket No. 20-429, Public Notice, 36 FCC Rcd 645 (2021) (*Auction 108 Comment Public Notice*).

² *Id.* at 645.

³ That proposed license inventory may be downloaded by clicking on the Attachment A File "Proposed" link under the "Summary" tab on the Auction 108 web page at www.fcc.gov/auction/108.

⁴ Federal Communications Commission, *Auction of Flexible-Use Service Licenses in the 2.5 GHz Band for Next-Generation Wireless Services; Comment Sought on Competitive Bidding Procedures for Auction 108*, 86 Fed. Reg. 12146 (Mar. 2, 2021).

⁵ See Comments of T-Mobile USA, Inc., at 3, AU Docket No. 20-429 (rec. May 3, 2021).

⁶ See Fish & Richardson, P.C., *Motion for Extension of Time to File Reply Comments*, AU Docket No. 20-429 (rec. May 10, 2021) (Extension Motion). On May 11, 2021, Instructional Telecommunications Foundation, Inc. filed a comment in support of the Extension Motion. See Comments of Instructional Telecommunications Foundation, Inc. in Support of Motion for Extension of Time to File Reply Comments, AU Docket No. 20-429 (rec. May 11, 2021).

inventory in response to comments filed by T-Mobile and other parties on May 3, 2021, which identify discrepancies between the initial license inventory and commenters' information about the list of potential licenses to be auctioned.⁷

4. It is the policy of the Commission that extensions of time are not routinely granted.⁸ We find, however, that Fish has shown good cause for the requested extension, and that the public interest will be served by granting the Extension Motion. Commenters have raised complex issues regarding the list of potential licenses to be auctioned, which may require careful analysis by some commenters. In this instance, in light of the relatively brief 10-day extension requested and noting that an auction start date has not been announced, granting the requested extension of the reply comment filing deadline will not disrupt auction preparations and will provide an opportunity to bolster the record regarding the potential inventory of licenses available in Auction 108. We therefore grant the Extension Motion and extend the reply comment filing deadline to May 27, 2021.

5. Accordingly, IT IS ORDERED that, pursuant to delegated authority under Sections 0.21 and 0.271(f) of the Commission's rules, 47 CFR §§ 0.21, 0.271(f), the Motion for Extension of Time to File Reply Comments filed by Fish & Richardson, P.C. on May 10, 2021, is GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

Jonathan M. Campbell
Chief, Auctions Division
Office of Economics and Analytics

⁷ See Extension Motion at 1-2.

⁸ 47 CFR § 1.46(a).