

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

In the Matter of)
Garmin International, Inc.'s Request for Waiver of) WT Docket No. 24-7
Section 95.1787(a)(3))

ORDER

Adopted: February 7, 2024

Released: February 7, 2024

By the Chief, Mobility Division, Wireless Telecommunications Bureau:

1. On January 27, 2024, North Shore Emergency Association (NSEA) filed a Motion for Extension of Time seeking an extension of the comment deadline in the above captioned proceeding by two months to April 12, 2024.1 By this Order, for the reasons stated below, the Mobility Division (Division) denies the request for extension of the comment deadline.

2. On October 5, 2023, Garmin International, Inc. (Garmin) filed an application requesting waiver of section 95.1787(a)(3) of the Federal Communications Commission's (Commission) rules.2 On January 12, 2024, the Division released a Public Notice seeking comment on Garmin's waiver request with comments and replies due on February 12, 2024 and February 27, 2024, respectively.3 On the same day it filed its Motion for Extension of Time, NSEA also filed a comment opposing Garmin's waiver request.4 On February 2, 2024, Garmin filed in opposition to the extension request.5

3. We deny NSEA's requested two-month extension of time because NSEA has not shown that an extension is warranted. Section 1.46 of the Commission's rules prescribes a high bar to justify an extension of time for filing comments and prohibits the Division from routinely granting such an extension.6 While NSEA argues that this proceeding "is not a normal or routine matter" given the specific relief sought by Garmin,7 this argument does not overcome the high bar required by section 1.46. All waivers, like the Garmin waiver, seek specific exceptions from requirements under the Commission's rules. And as with other waiver requests, the Division here acted consistently with our typical practice, providing 30 days for comments on the Garmin waiver and 15 days for replies.8 NSEA has not

1 Motion of North Shore Emergency Association for Extension of Time, WT Docket No. 24-7, at 1 (filed Jan. 27, 2024), https://www.fcc.gov/ecfs/document/101280883906803/1 (NSEA Motion for Extension of Time).

2 Garmin Waiver Request, Non-Docketed ECFS INBOX-1.3 (filed Oct. 5, 2023), https://www.fcc.gov/ecfs/document/1005158792395/1.

3 Wireless Telecommunications Bureau Seeks Comment on Request by Garmin International, Inc. for Waiver of 47 CFR § 95.1787(a)(3), WT Docket No. 24-7, Public Notice, DA 24-36, 2024 WL 147156, at *1 (WTB Jan. 12, 2024) (Garmin Comment PN).

4 NSEA Comments, WT Docket No. 24-7, at 6-7 (filed Jan. 28, 2023).

5 Garmin Opposition to NSEA Extension Request, WT Docket No. 24-7 (filed Feb. 2, 2024) (Garmin Opposition).

6 47 CFR § 1.46.

7 NSEA Motion for Extension of Time at 1-2.

8 FCC, How to Comment on FCC Proceedings, https://www.fcc.gov/consumers/guides/how-comment (last updated May 16, 2023); FCC, Formal Comments on Proceedings, https://www.fcc.gov/general/formal-comments-

articulated why the Garmin waiver warrants additional time for comment beyond the typical comment and reply periods provided by the Division for any waiver.

4. NSEA has not shown that an extension of the comment deadline is warranted, especially an extension of the extraordinary length requested—an additional period twice the length of the normal comment period. Although NSEA contends that it would use this additional time to notify others in the GMRS space about this proceeding and allow them to provide comments,⁹ we do not find that this justification warrants an exception from section 1.46’s direction that extensions not be routinely granted. As Garmin argues, NSEA is requesting a deadline extension on behalf of unknown third parties without articulating whether or why any of these unidentified entities are unable to file comments within the standard deadlines.¹⁰ We agree with Garmin that NSEA has not presented good cause for its requested extension.¹¹ The circumstances identified by NSEA are not sufficiently unique or unusual to warrant deviation from the established deadline. As such, we decline to extend the comment deadline for this proceeding. We note, however, that this proceeding has been designed as a “permit-but-disclose” proceeding¹² in accordance with section 1.1200(a) of the Commission’s rules,¹³ subject to the requirements under section 1.1206(b).¹⁴ Accordingly, any interested parties may file in the docket, **WT Docket 24-7**, consistent with these rules.

5. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.131, 0.204, 0.331, and 1.46 of the Commission’s Rules, 47 CFR §§ 0.131, 0.204, 0.331, and 1.46, the Motion for Extension of Time filed by North Shore Emergency Association on January 27, 2024, **IS DENIED**.

FEDERAL COMMUNICATIONS COMMISSION

Roger S. Noel
Chief
Mobility Division
Wireless Telecommunications Bureau

[proceedings](#) (last visited Feb. 1, 2024); *see also* 47 CFR § 1.925(c)(i) (allowing the Division, “in its discretion, [to] give public notice of the filing of a waiver request and seek comment from the public or affected parties”).

⁹ NSEA Motion for Extension of Time at 2–3.

¹⁰ Garmin Opposition at 3.

¹¹ *Id.* at 3-4.

¹² Garmin Comment PN at 2.

¹³ 47 CFR § 1.1200(a).

¹⁴ 47 CFR § 1.1206(b).