

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
Streamlining Broadcast EEO Rule) MM Docket No. 96-16
and Policies. Vacating the EEO)
Forfeiture Policy Statement and)
Amending Section 1.80 of the)
Commission's Rules to Include)
EEO Forfeiture Guidelines)

ORDER

Adopted: September 20, 1996;

Released: September 20, 1996

Reply Comment Date: October 25, 1996

By the Chief, Mass Media Bureau:

1. On February 8, 1996, the Commission adopted an Order and Notice of Proposed Rule Making, 11 FCC Rcd 5154 (1996), which vacated the Commission's EEO Forfeiture Policy Statement and requested comment on proposals for amending the Commission's EEO Rule and policies. Comment and Reply Comment dates were established for April 30, 1996, and May 30, 1996, respectively.

2. On April 12, 1996, twenty organizations, including the Minority Media and Telecommunications Council (hereinafter "Petitioners"), filed a Motion for Extension of Time to file comments in response to the above-captioned proceeding.¹ On April 26, 1996, the Commission granted the Petitioners' request for extension of time.² The date for filing comments was extended to July 1, 1996, and the date for filing reply comments was extended to July 31, 1996.

3. Petitioners filed two additional extensions of time³ which the Commission granted.⁴

¹ Minority Media and Telecommunications Council et al., Motion For Extension of Time, MM Docket No. 96-16, filed April 12, 1996. For the names of the twenty organizations, see National Council of Churches et al., Petition For Reconsideration and Clarification, MM Docket No. 96-16, filed April 11, 1996, at 1.

² FCC 96-198 (released: April 26, 1996).

³ Minority Media and Telecommunications Council et al., Motion For Further Extension of Time, MM Docket No. 96-16, filed June 20, 1996. Minority Media and Telecommunications Council et al., Motion For Further Extension of Time, and For Waiver of Filing Deadline, MM Docket No. 96-16, filed August 5, 1996.

In response to the last request, the Commission extended the date for filing comments to August 26, 1996, and the date for filing reply comments to September 25, 1996.

4. On August 26, 1996, Petitioners filed Volume III of their comments stating that Volumes I and II were still being edited but would be filed shortly.⁵ They stated that they "experienced additional delay attendant to [their] analysis of the huge volume of data in the two research studies" contained in Volume III. On September 17, 1996, Petitioners filed Volumes I and II of their comments. Petitioners cite various difficulties that delayed the completion of their comments including loss of staff and the failure of three hard drives. They request acceptance of their late-filed comments.

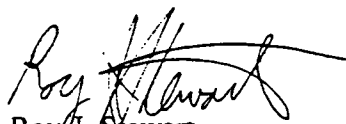
5. In emergency situations, the Commission will consider motions for acceptance of comments filed after the filing date. See Section 1.46(b) of the Commission's Rules, 47 C.F.R. Section 1.46(b). Because of the circumstances cited above and in the interest of compiling a full record in this rule making, we will accept Petitioners' late-filed comments. However, due to the lateness of Petitioners' comments and their voluminous nature, we believe that the public interest favors an extension of the time for filing reply comments. Consequently, on our own motion, we will extend the deadline for filing reply comments to October 25, 1996.

6. ACCORDINGLY, IT IS ORDERED that the Commission, on its own motion, EXTENDS the time for filing reply comments.

7. IT IS FURTHER ORDERED that reply comments will be accepted through October 25, 1996.

8. This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. Sections 4(i) and 303(r), and Sections 0.204(b), 0.283 and 1.46 of the Commission's Rules, 47 C.F.R. Sections 0.204(b), 0.283 and 1.46.

FEDERAL COMMUNICATIONS COMMISSION


Roy J. Stewart
Chief, Mass Media Bureau

⁴ 11 FCC Rcd 7624 (1996); DA 96-1279 (released: August 9, 1996).

⁵ On August 12, 1996, Petitioners filed a letter indicating that the National Association for the Advancement of Colored People had joined Petitioners in their comments.