

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 11-1443**

**September Term 2011**

**FCC-11-154**

**Filed On: April 18, 2012**

TV Communications Network, Inc.,

Petitioner

v.

Federal Communications Commission and  
United States of America,

Respondents

**BEFORE:** Garland, Brown, and Kavanaugh, Circuit Judges

**ORDER**

Upon consideration of the motion for dismissal in part and for summary affirmance in part, the opposition thereto, and the reply, it is

**ORDERED** that the motion for summary affirmance of the Federal Communications Commission's order filed October 14, 2011, be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). The agency properly denied appellant's motion for extension of time to file its petition for reconsideration and, accordingly, properly dismissed that petition as untimely, because appellant presented no "extremely unusual circumstances" warranting the agency's acceptance of that untimely petition. Virgin Islands Telephone Corp. v. FCC, 989 F.2d 1231, 1237 (D.C. Cir. 1993) (citing Reuters Limited v. FCC, 781 F.2d 946 (D.C. Cir. 1986)). It is

**FURTHER ORDERED** that the motion to dismiss the appeal from the Commission's order filed January 5, 2010, be granted. The notice of appeal was filed more than thirty days from the date of that order. See 47 U.S.C. § 402(c); Waterway Communications Systems, Inc. v. FCC, 851 F.2d 401, 405 (D.C. Cir. 1988).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 11-1443**

**September Term 2011**

of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**