

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

In the Matter of)	
)	
Carrier Current Systems, including Broadband over Power Line Systems)	ET Docket No. 03-104
)	
)	
Amendment of Part 15 regarding new requirements and measurement guidelines for Access Broadband over Power Line Systems)	ET Docket No. 04-37

ORDER DENYING EXTENSION OF TIME

Adopted: April 29, 2004

Released: April 30, 2004

By the Chief, Office of Engineering and Technology:

1. On February 23, 2004, the Commission released a Notice of Proposed Rulemaking (NPRM) in the above captioned proceeding, seeking comment on proposed rule changes to Part 15 of the Commission's rules to promote the deployment of Broadband over Power Line (BPL) systems.¹ The NPRM was published in the Federal Register on March 17, 2004, establishing a comment date of May 3, 2004, and reply comment date of June 1, 2004.² A number of parties have submitted requests for extension of time to file comments and reply comments.³ For the reasons set forth below, we deny the parties' requests.

2. In their pleadings, parties predicate their request for extension of time on the release of the study of BPL systems by the National Telecommunications & Information Administration (NTIA).⁴ The parties indicate that an extension of time for evaluating the report after its public release is essential to a meaningful review of the report. In addition, some parties indicate that other studies are underway and that additional time is also needed to allow completion of these studies; however, no tentative completion

¹ *In the Matter of Carrier Current Systems, including Broadband over Power Line Systems and Amendment of Part 15 regarding new requirements and measurement guidelines for Access Broadband over Power Line Systems*, ET Docket Nos. 03-104 & 04-37, Notice of Proposed Rulemaking, FCC 04-29 (rel. February 23, 2004).

² 69 Fed. Reg. 12612 *et seq.* (March 17, 2004).

³ *See, e.g.*, Request for Extension of time from Nickolaus E. Leggett (Leggett), filed February 24, 2004; Comments of Mark M. Oring (Oring), filed March 1, 2004; Comments of Paul Brouillette (Brouillette), filed April 2, 2004; Motion for Extension of Time to Submit Comments from the American Radio Relay League (ARRL), filed April 9, 2004; Comments of Leonard H. Anderson (Anderson), filed April 12, 2004; Written Comments of the National Antenna Consortium (NAC) and the Amherst Alliance (NAC & Amherst Alliance), filed April 13, 2004, etc.

⁴ ARRL at 2; Leggett at 1; NAC & Amherst Alliance at 1. That study was released on April 27, 2004. Those parties whose requests for extension predated the release of the study by NTIA anticipated that study in forming the basis for their request.

date is proffered for any of these studies.⁵ The time requested for extension of the comment periods ranges from 45 days⁶ to 180 days.⁷

3. It is the policy of the Commission that extensions of time shall not be routinely granted.⁸ We do not believe that it would be in the public interest to delay this entire proceeding by several weeks. Parties have not provided us with any specific information regarding the expected completion date of any other reports they expect to submit or to see submitted, nor is any reason proffered why such reports could not be submitted in a timely fashion. We also note that the NTIA report was released on April 27, 2004.⁹ To the extent parties wish to address this report, comments may be filed at any time prior to the end of the reply comment period on June 1, 2004. Based on the foregoing, we deny the parties' request for an extension of comment periods in the above captioned proceeding.

4. Accordingly, IT IS ORDERED that, pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 154(j), and sections 0.31, 0.241, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.31, 0.241, and 1.46, the requests for extension of time to file comments in the above captioned proceeding are DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Edmond J. Thomas
Chief, Office of Engineering and Technology

⁵ Leggett at 1, Brouillette at 4.

⁶ ARRL at 2; NAC & Amherst Alliance at 1.

⁷ Leggett at 2; Oring at 1; Brouillette at 4.

⁸ See 47 C.F.R. § 1.46(a).

⁹ See NTIA Report 04-413, *Potential Interference From Broadband Over Power Line (BPL) Systems To Federal Government Radiocommunications at 1.7-80 MHz, Phase I Study, Volume I*, National Telecommunications & Information Administration, filed April 27, 2004. The report can also be found at http://www.ntia.doc.gov/ntiahome/fccfilings/2004/bpl/FinalReportAdobe/NTIA_BPL_Report_04-413_Volume_I.pdf.