

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

In the Matter of)	
)	
Digital Audio Broadcasting Systems and Their)	MM Docket No. 99-325
Impact on the Terrestrial Radio Broadcast Service)	
)	

ORDER

Adopted: July 8, 2004

Released: July 9, 2004

Reply Comment Date: August 2, 2004

By the Chief, Media Bureau:

1. By a Further Notice of Proposed Rulemaking and Notice of Inquiry (*FNPRM/NOI*) released April 20, 2004, the Commission requested comment on several issues relevant to the development of digital audio broadcasting (DAB).¹ The *FNPRM/NOI* called for reply comments on July 16, 2004.

2. The American Federation of Television and Radio Artists (AFTRA); the American Federation of Musicians of the United States and Canada (AFM); the Future of Music Coalition (FMC); the National Academy of Recording Arts and Sciences (Recording Academy); and the Recording Artists Coalition (RAC), collectively known as the “Recording Artist Interest Commenters” (RAIC) have requested a 61 day extension of the Reply Comment date. RAIC states that, because of its limited resources, it needs additional time to complete its review of the complex technical arguments raised by dozens of commenters who filed pleadings in the instant proceeding.² RAIC also states that it needs more time to analyze how the issues raised in the DAB proceeding are affected by, *inter alia*, the recently released Notice of Inquiry on broadcast localism.³

3. We find that RAIC has stated good cause for a short extension for the filing of reply comments herein. However, we believe that RAIC’s 61 day request is unsubstantiated. Rather than granting the full extension asked for, we will provide for an additional 16 days to file reply comments. A

¹ Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service, MM Docket No. 99-325, FCC 04-99 (rel. April 20, 2004).

² See Motion for Extension of Time filed by RAIC, dated July 8, 2004 at 2.

³ *Id.*

brief extension should provide some assistance to these parties completing the record in this proceeding. At the same time, the proceeding will not be unduly delayed in any significant respect.

4. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 155(c), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.61, 0.283, and 1.46, the date for the filing of Reply Comments in MM Docket No. 99-325 is extended until August 2, 2004.

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree
Chief, Media Bureau