

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

In the Matter of	)	
	)	
STATE OF OHIO	)	FCC File Nos. A051346, A051773,
	)	A051775, A051776, A052254, A052257,
Applications for 800 MHz General Category	)	A053871, A054250, A054249, A054251,
Channels and Request for Waiver Pursuant to	)	A051347 and A056224.
Section 337(c) of the Communications Act of 1934	)	
and Section 1.925 of the Commission's Rules	)	

**ORDER**

**Adopted:** October 23, 2000

**Released:** October 25, 2000

By the Chief, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On October 13, 2000, the State of Ohio (Ohio) filed a motion for extension of time (Motion) to file reply comments in the above-captioned matter.<sup>1</sup> For the reasons discussed herein, we grant the Motion.

2. On September 25, 2000, we released a public notice requesting comments on Ohio's above-captioned waiver request; comments were due on October 10, 2000, and reply comments were due on October 17, 2000.<sup>2</sup> Several parties filed comments supporting Ohio's waiver request.<sup>3</sup> On October 10, 2000, Nextel Communication, Inc. (Nextel)<sup>4</sup> and Motient Communications Company (Motient)<sup>5</sup> filed comments in opposition to Ohio's waiver request.

3. The Motion requests that we extend the time to file reply comments by three weeks, from October 17, 2000, to November 7, 2000, because Nextel's and Motient's comments address a wide variety

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<sup>1</sup> State of Ohio Motion for Extension of Time (Motion) (filed October 13, 2000).

<sup>2</sup> See, Wireless Telecommunications Bureau Seeks Comment on Requests for Waiver by State of Ohio to Obtain Licenses for Twelve 800 MHz General Category Channels, *Public Notice*, DA 00-2167 (rel. Sept 25, 2000).

<sup>3</sup> See Comments of Ohio Emergency Management Agency (filed Oct. 3, 2000); Comments of Ohio State Highway Patrol (filed Oct. 4, 2000); Comments of Ohio Department of Correction and Rehabilitation (filed Oct. 4, 2000); Comments of Missouri State Highway Patrol (filed Oct. 4, 2000); Comments of Ohio Department of Natural Resources (filed Oct. 11, 2000).

<sup>4</sup> Comments of Nextel Communications, Inc. (filed Oct. 10, 2000).

<sup>5</sup> Motient Communications Company Comments (filed Oct. 10, 2000).

of legal and technical issues such that Ohio needs additional time to respond.<sup>6</sup> In particular, Ohio explains that additional engineering analysis may be necessary and that many of the personnel involved in preparing such analysis also have other substantial obligations related to the Ohio State-wide Radio Project and other matters.<sup>7</sup> Ohio also reports that counsel for Motient does not object to the Motion and that counsel for Nextel does not object to a two week extension, although Nextel stated that it would object to a three week extension until November 7, 2000.<sup>8</sup>

4. While the Commission does not routinely grant motions for extension of time,<sup>9</sup> in light of the complexity of Nextel's and Motient's comments, we believe that Ohio has presented good cause for the requested extension. While Nextel has objected to the grant of a three week extension, we believe Nextel would not be prejudiced by the grant of a three week extension. In view of the foregoing, we conclude that granting the Motion would serve the public interest.

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 Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the Motion for Extension of Time filed by the State of Ohio on October 13, 2000, IS GRANTED.

6. IT IS FURTHER ORDERED that the deadline date for filing reply comments to the comments filed in the above-captioned matter pursuant to *Public Notice*, DA 00-2167, is November 7, 2000.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

#### FEDERAL COMMUNICATIONS COMMISSION

John J. Schauble  
Chief, Policy and Rules Branch  
Public Safety and Private Wireless Division  
Wireless Telecommunications Bureau

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<sup>6</sup> *Id.* at 1.

<sup>7</sup> *Id.* at 1-2.

<sup>8</sup> *Id.* Nextel, however, filed no formal opposition to the Motion.

<sup>9</sup> 47 C.F.R. § 1.46(a).