

broadcast tower siting issues, including delays and related matters encountered by broadcasters, tower owners and local government officials. The Commission is particularly interested in receiving information about experiences related to time constraints, delays or other obstacles encountered by broadcasters and tower owners in the top 30 markets.¹⁵ The Commission is also interested in the extent to which commenters believe such difficulties are representative of difficulties that will be faced in the context of DTV build-out and whether existing laws, ordinances and procedures are likely to impede adherence to our accelerated DTV build-out schedule. The Commission also seeks comment on whether it should preempt state and local restrictions regarding RF emissions from broadcast transmission facilities or local regulation intended for aesthetic purposes?

12. The Commission also seeks comment on the procedural framework proposed by Petitioners. Specifically, should the Commission preempt state and local government authority where they fail to act within certain time periods? The Commission asks states and localities to comment on their current procedures, their need to use these procedures, the possibility of using expedited procedures to meet the DTV construction schedule, and the nature of such expedited procedures. Is there an appropriate role for the Commission in resolving disputes between localities and licensees with respect to tower siting issues?

List of Subjects in 47 CFR Part 1

Television broadcasting, Radio broadcasting.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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¹⁵ The top thirty television markets, as ranked by Nielsen Media Research as of April 3, 1997 are: New York, Los Angeles, Chicago, Philadelphia, San Francisco, Boston, Washington, D.C., Dallas-Fort Worth, Detroit, Atlanta, Houston, Seattle-Tacoma, Cleveland, Minneapolis-St. Paul, Tampa-St. Petersburg, Miami, Phoenix, Denver, Pittsburgh, Sacramento-Stockton, St. Louis, Orlando-Daytona Beach, Baltimore, Portland, OR, Indianapolis, San Diego, Hartford-New Haven, Charlotte, Raleigh-Durham, and Cincinnati.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 80

[PR Docket No. 92-257; DA 97-1806]

Maritime Communications

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On August 21, 1997, the Public Safety and Private Wireless Division adopted an order extending the comment and reply comment period in PR Docket No. 92-257. The extension was requested to allow interested parties more time to evaluate the issues and develop an industry consensus. The comment period is extended from August 25, 1997 to September 15, 1997, and the reply comment period is extended from September 9, 1997 to September 30, 1997.

DATES: Comments are to be filed on or before September 15, 1997, and reply comments on or before September 30, 1997.

ADDRESSES: Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Scot Stone, Wireless Telecommunications Bureau, Public Safety & Private Wireless Division, (202) 418-0680 or via E-mail to "sstone@fcc.gov".

SUPPLEMENTARY INFORMATION:

Adopted: August 21, 1997.

Released: August 21, 1997.

1. On August 15, 1997, Ross Engineering (Ross) requested that the time for filing comments in response to the *Second Further Notice of Proposed Rule Making (Second Further NPRM)* in the above-captioned proceeding released by the Commission on June 26, 1997,¹ be extended from August 25, 1997, to September 15, 1997, and that the time for filing reply comments be

¹ Amendment of the Commission's Rules Concerning Maritime Communications, *Second Further Notice of Proposed Rule Making*, PR Docket No. 92-257, FCC 97-217 (released June 26, 1996) (*Second Further NPRM*); see Maritime Communications, 62 FR 37533 (July 14, 1997).

extended from September 9, 1997 to October 16, 1997.

2. Ross states that it needs additional time to submit comments in order to fully address the substantive effect of the issues raised in the *Second Further NPRM*, consider the impact of a related Petition for Rulemaking filed by the United States Coast Guard,² and complete the work of coordinating and developing an industry consensus on these issues. Ross also states that Mobile Marine Radio, MARITEL, and the Coast Guard concur in its request for an extension of time.

3. The Commission does not routinely grant extensions of time. In this instance, however, it is desirable that the record be as complete as possible and that it include the views of as large a cross section of the maritime radio community as possible. This interest must be balanced, however, against the fact that the filing and process freeze enacted to allow the development of new rules for maritime services expires on March 17, 1998, and the Commission's intent to adopt final rules before the freeze expires.³ We believe an extension of twenty-one (21) days to be adequate to give the maritime community sufficient time to respond to the above-captioned proceeding. We therefore extend the period of time for filing comments to and including September 15, 1997, and we extend the period for filing reply comments to and including September 30, 1997.

4. *It Is Hereby Ordered* that pursuant to § 1.46 of the Commission's Rules, 47 CFR § 1.46, Ross's request to extend the deadline for filing comments and reply comments in this proceeding is granted in part to the extent indicated herein, and otherwise denied.

Federal Communications Commission.

Lisa M. Higginbotham,

Acting Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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² United States Coast Guard Petition for Rulemaking to Amend Part 80 of the FCC Rules to Designate Maritime Channels and Allow Operation of Automatic Identification Systems and Related Safety Systems (filed August 4, 1997).

³ *Second Further NPRM* at ¶132.