

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

In the Matter of)	
)	
FIBER TECHNOLOGIES NETWORKS, INC.)	WC Docket No. 03-37
)	
Petition for Preemption Pursuant to Section 253 of the Communications Act of Discriminatory)	
Ordinance, Fees and Right-of-Way Practices of the)	
Borough of Blawnox, Pennsylvania)	

ORDER

Adopted: April 15, 2003

Released: April 15, 2003

Revised Filing Dates:

Reply Comments Due: April 29, 2003

By the Chief, Competition Policy Division:

1. On February 13, 2003, the Commission released a public notice soliciting comments on the above-captioned petition for preemption filed by Fiber Technologies Networks, L.L.C. (Fibertech). Under the pleading cycle set forth in that public notice, comments were due March 17, 2003, and replies were due April 1, 2003. On March 7, 2003, the Commission, at the request of the National Association of Telecommunications Officers and Advisors (NATOA), extended the deadlines to file comments and reply comments on the Fibertech petition to March 31, 2003, and April 15, 2003, respectively.¹

2. On April 11, 2003, Fibertech filed a motion for extension of time to file reply comments. In support of its request, Fibertech notes that it did not oppose the NATOA request for an extension of the deadline for filing comments on Fibertech's petition. Fibertech states that as a result of the extension, six sets of comments were filed which raised numerous and diverse issues that its must analyze, research, and address in its reply comments. Fibertech also maintains that the Rochester, New York region, where its headquarters is located, recently suffered widespread power outages as a result of a major ice storm, impairing its ability to draft reply comments. Finally, Fibertech states that it conferred with counsel for all parties to this proceeding and none of the parties objected to a two-week extension.

¹ See Order, WC Docket No. 03-37, DA 03-670 released Mar. 7, 2003.

3. Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, provides that extensions of time will not be routinely granted by the Commission. However, given the circumstances cited by Fibertech, and the importance of the issues raised in this proceeding, we will grant Fibertech's request to extend the deadline to file reply comments.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(j) and 155(c), and authority delegated under §§ 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that the Motion for Extension of Time filed by Fiber Technologies, L.L.C. IS GRANTED and that the deadline for filing reply comments in this proceeding is extended until **April 29, 2003**.

FEDERAL COMMUNICATIONS COMMISSION

Michelle Carey
Chief, Competition Policy Division