

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

In the Matter of)	
)	
Implementation of Pay Telephone)	
Reclassification and Compensation)	CC Docket No. 96-128
Provisions of the Telecommunications)	
Act of 1996)	

Order

Adopted: February 3, 2004

Released: February 3, 2004

By the Chief, Pricing Policy Division:

Revised Filing Dates:

Comments Due: March 10, 2004

Reply Comments Due: March 31, 2004

1. On December 31, 2003, the Commission released the *Wright Public Notice* seeking comment on a Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues In a Pending Rulemaking (*Wright Petition*) filed by Martha Wright and other prison inmate and non-inmate petitioners.¹ The *Wright Public Notice* stated that comments would be due 20 days after publication of the public notice in the Federal Register, and reply comments would be due 30 days after Federal Register publication. The Federal Register published the *Wright Public Notice* on January 20, 2004.² Accordingly, comments are due by February 9, 2004, and reply comments are due by February 19, 2004.

2. On January 26, 2004, Evercom Systems, Inc., T-NETIX, Inc., and Corrections Corporation of America (CCA) (jointly, “commenters”) filed a joint motion to extend the deadlines for filing comments and reply comments in this proceeding.³ In their pleading, commenters contend that the comment period set forth in the *Wright Public Notice* is “inadequate to permit the preparation and compilation of technical and related evidence on the competitive and economic

¹ Petition for Rulemaking Filed Regarding Issues related to Inmate Calling Services, Pleading Cycle Established, CC Docket No. 96-128, Public Notice, DA 03-4027 (December 31, 2003) (*Wright Public Notice*).

² See Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Notice of Proposed Rulemaking, 69 FR 2697 (January 20, 2004).

³ Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Joint Motion to Extend Time for Filing Public Comments filed by Evercom Systems, T-NETIX, and Corrections Corp. on January 26, 2004.

structure of the inmate services market.”⁴ In support of their contention, commenters note that the *Wright Petition* is a lengthy, 345-page filing that proposes fundamental changes in the Commission’s approach to regulation of telecommunications services provided to incarcerated inmates (“inmate services”).⁵ Commenters further assert that, unless the comment cycle is extended, most correctional agencies and officials would be unable to respond and participate in the proceedings.⁶

3. It is the policy of the Commission that extensions of time are not routinely granted.⁷ In this instance, however, the Bureau finds that the commenters have shown good cause for an extension of the deadline for filing comments and reply comments in this proceeding. Because of the complexity of the issues, the related necessary economic analysis, and the length of the pleadings, we grant a limited extension so that parties may file comments by March 10, 2004, and reply comments by March 31, 2004. This matter shall continue to be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁸ All other requirements discussed in the *Wright Public Notice* remain in effect.

4. ACCORDINGLY, IT IS ORDERED, pursuant to the authority delegated in sections 0.91 and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, that the Joint Motion to Extend Time For Filing Public Comments filed by Evercom Systems, Inc. T-NETIX, Inc., and Corrections Corporation of America (CCA) IS GRANTED to the extent discussed herein.

FEDERAL COMMUNICATIONS COMMISSION

Tamara L. Preiss
Chief
Pricing Policy Division
Wireline Competition Bureau

⁴ Joint Motion to Extend Time for Filing Public Comments at 2.

⁵ Joint Motion to Extend Time for Filing Public Comments at 1.

⁶ Joint Motion to Extend Time for Filing Public Comments at 5.

⁷ 47 C.F.R. § 1.46(a).

⁸ 47 C.F.R. § 1.1206.