

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

In the Matter of)	
)	
Petition of Qwest Corporation for Forbearance)	WC Docket No. 04-416
Pursuant to 47 U.S.C. § 160(c) Pertaining to)	
Qwest's xDSL Services)	

ORDER

Adopted: January 4, 2005

Released: January 4, 2005

By the Deputy Chief, Wireline Competition Bureau:

1. On November 10, 2004, Qwest Corporation (Qwest) filed a petition for forbearance, pursuant to 47 U.S.C. § 160(c), pertaining to xDSL services. On November 16, 2004, the Wireline Competition Bureau released a public notice establishing comment and reply dates for Qwest's petition of January 5, 2005, and February 7, 2005, respectively.¹ On December 28, 2004, the Washington Bureau for ISP Advocacy (WBIA) filed a motion pursuant to section 1.46 of the Commission's rules² asking the Commission to extend the period for all parties to file comments and replies to January 20, 2005, and February 22, 2005, respectively. WBIA states that an extension is necessary due to holiday and vacation schedules typical for this time of year and the large number of proceedings currently open for comment.

2. The Bureau hereby denies WBIA's request. It is the policy of the Commission that extensions of time are not routinely granted.³ All parties had notice that comments would be due after the holidays, and granting an extension at this date would not provide ample notice of the additional time such that all commenters could take advantage of the extension. The Commission's rules, however, do provide that when a timely motion for extension of time such as WBIA's is denied, comments need not be filed until two business days after the Commission acts on the motion.⁴ Thus, any party's comments that are filed on or before January 6, 2005 will be considered timely filed.

3. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 155(c), and sections 0.91, 0.291, and 1.46 of the

¹ Public Notice, *Comments Invited on Petition for Forbearance Filed by Qwest Corporation Regarding Qwest's DSL Service*, WC Docket No. 04-416, DA 04-3602 (Nov. 16, 2004).

² 47 C.F.R. § 1.46.

³ 47 C.F.R. § 1.46(a).

⁴ 47 C.F.R. § 1.46(b).

Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the request for extension of time filed by WBIA IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Deputy Chief, Wireline Competition Bureau