

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

In the Matter of)
)
Annual Assessment of the Status of) MB Docket No. 05-255
Competition in the Market for the)
Delivery of Video Programming)

ORDER

Adopted: April 10, 2006

Released: April 11, 2006

Reply Comment Date: April 25, 2006

By the Deputy Chief, Media Bureau:

1. In its *Twelfth Annual Report* on the status of competition in the market for the delivery of video programming,¹ the Commission observed that data submitted in the record raises questions as to whether the so-called “70/70 test” in Section 612 of the Communications Act of 1934, as amended, has been satisfied.² The Commission sought comment on the best methodologies and data for measuring the 70-percent thresholds and, if the thresholds have been met, what action might be warranted to achieve the statutory goals. The *Twelfth Annual Report* established a reply comment date of April 18, 2006.

2. The National Cable & Telecommunications Association (NCTA) has filed a Motion for Extension of Time requesting a deadline of April 25, 2006, for filing reply comments. NCTA seeks this extension of time to adequately address the arguments made in the parties’ initial comments, explaining that other events are occurring during the same time period, such as the annual convention of the cable industry, which takes place April 9-11 in Atlanta, and the Easter and Passover holidays.³

3. We conclude that NCTA has stated good cause for itself and others to receive an extension of one week for the filing of their reply comments. A one-week extension will result in a more complete discussion and analysis of the issues raised in the initial comments.

¹ *Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming, Twelfth Annual Report*, MB Docket No. 05-255, FCC 06-11 (rel. March 3, 2006) (*Twelfth Annual Report*).

² Section 612(g) of the Communications Act provides that when cable systems with 36 or more activated channels are available to 70 percent of households within the United States and when 70 percent of those households subscribe to them, the Commission may promulgate any additional rules necessary to promote diversity of information sources. 47 U.S.C. § 532(g).

³ 47 C.F.R. § 1.46.

4. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 4(j), 403, and 628(g) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 403, and 548(g), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 C.F.R. § 0.61, 0.283, and 1.46, the Motion for Extension of Time, filed by the National Cable & Telecommunications Association, IS GRANTED, and the deadline for filing reply comments in this proceeding IS EXTENDED to April 25, 2006.

FEDERAL COMMUNICATIONS COMMISSION

William H. Johnson
Deputy Chief, Media Bureau