

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

In the Matter of)
)
A National Broadband Plan for our Future) GN Docket No. 09-51

ORDER

Adopted: June 25, 2009

Released: June 25, 2009

Reply Comment Date: July 21, 2009

By the Acting Chief, Wireline Competition Bureau:

1. On February 17, 2009, the President signed the American Reinvestment and Recovery Act of 2009, tasking the Commission with developing a National Broadband Plan (Plan) by February 17, 2010.¹ On April 8, 2009, the Commission released a Notice of Inquiry (NOI) seeking comment on issues related to the development of the Plan.² The Commission directed comments on the NOI to be filed by June 8, 2009, and reply comments by July 7, 2009.³

2. On June 18, 2009, the National Association of State Utility Consumer Advocates and a number of interested parties (NASUCA *et al.*) filed a joint motion requesting that the Commission “enter an order extending the period of time for all interested parties to file reply comments in this proceeding from July 7, 2009 to August 7, 2009.”⁴ On June 22, 2009, CTIA and two other interested parties (CTIA *et al.*) filed another joint motion requesting an extension of the reply comment filing deadline to August 6, 2009.⁵ Both groups note that over 500 comments have been submitted to the Commission, many of them lengthy and detailed.⁶ Both argue that the reply comment timetable is too short for interested parties

¹ 47 U.S.C. § 1305(k).

² *A National Broadband Plan for Our Future*, Notice of Inquiry, GN Docket No. 09-51, 24 FCC Rcd 4342 (2009) (*National Broadband Plan NOI*).

³ *Id.* at 4342.

⁴ Motion of the Communications Workers of America, the Consumer Federation of America, Consumers Union, the Media Access Project, the National Association of State Utility Consumer Advocates, the National Association of Telecommunications Officers and Advisors, the National Telecommunications Cooperative Association, the New America Foundation, OneEconomy Corporation, Public Knowledge, the United States Public Interest Research Group, and ZeroDivide for Extension of Time, GN Docket No. 09-51, at 1 (filed June 18, 2009) (NASUCA *et al.* Motion for Extension of Time).

⁵ Request by CTIA, the Rural Telecommunication Group, and the Telecommunications Industry Association for Extension of Reply Comment Deadline, GN Docket No. 09-51, at 1 (filed June 22, 2009) (CTIA *et al.* Motion for Extension of Time).

⁶ NASUCA *et al.* Motion for Extension of Time at 2–3; CTIA *et al.* Motion for Extension of Time at 1–2.

to adequately review and respond to other parties' initial comments,⁷ especially with the intervening July 4th holiday weekend.⁸

3. It is the policy of the Commission that extensions of time shall not be routinely granted.⁹ Given the vastness of the record and the magnitude of the issues involved here, however, we find that good cause exists to provide all parties a one-time, two-week extension to July 21, 2009, to file reply comments. We expect that this brief extension will help parties develop complete and useful replies.

4. As some of the groups seeking additional time recognize, "time is short" for the completion of the Plan, which is due to Congress no later than February 17, 2010.¹⁰ We expect that interested parties will have many opportunities, both in this proceeding and in the soon-to-be-established proceeding on the next section 706 inquiry, to comment on the broadband issues pending before the Commission.¹¹ We therefore do not expect to grant any further extensions with regard to the development of the Plan absent extraordinary circumstances.

5. 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 Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the due date for filing reply comments in response to the *National Broadband Plan NOI* in this docket IS EXTENDED to **July 21, 2009**.

6. IT IS FURTHER ORDERED that the NASUCA *et al.* Motion for Extension of Time and the CTIA *et al.* Motion for Extension of Time ARE GRANTED to the extent indicated herein and otherwise ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach
Acting Chief
Wireline Competition Bureau

⁷ NASUCA *et al.* Motion for Extension of Time at 2–3; CTIA *et al.* Motion for Extension of Time at 1–2.

⁸ CTIA *et al.* Motion for Extension of Time at 2.

⁹ 47 C.F.R. § 1.46(a).

¹⁰ NASUCA *et al.* Motion for Extension of Time at 3.

¹¹ The record created in the upcoming section 706 proceeding will be made part of the record in this National Broadband Plan proceeding, GN Docket No. 09-51.