

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

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| In the Matter of |) | |
| |) | |
| Preserving the Open Internet |) | GN Docket No. 09-191 |
| |) | |
| Broadband Industry Practices |) | WC Docket No. 07-52 |

ORDER

Adopted: April 7, 2010

Released: April 7, 2010

Reply Comment Date: April 26, 2010

By the Chief, Wireline Competition Bureau:

1. On October 22, 2009, the Commission released a Notice of Proposed Rulemaking (*Notice*) seeking public comment on draft rules to preserve the open Internet.¹ The Commission required that comments on the *Notice* be filed by January 14, 2010, and reply comments by March 5, 2010.² On February 23, 2010, in response to several requests, the Wireline Competition Bureau extended the deadline for filing reply comments to April 8, 2010.³

2. On April 7, 2010, CTIA – The Wireless Association, the United States Telecom Association, and the Open Internet Coalition filed requests that the Commission extend the April 8 deadline for filing reply comments.⁴ These parties suggest that the requested extension will “enable *all* interested parties to evaluate and consider the legal implications of” the D.C. Circuit’s April 6, 2010 decision in *Comcast Corp. v. FCC*.⁵

3. It is the policy of the Commission that extensions of time shall not be routinely granted.⁶ However, we find that good cause exists to provide all parties an extension of the reply comment deadline. We therefore grant parties an extension, until April 26, 2010, to file reply comments. We expect that this extension will help parties develop complete and useful replies.

¹ *Preserving the Open Internet*, GN Docket No. 09-191, *Broadband Industry Practices*, WC Docket No. 07-52, Notice of Proposed Rulemaking, 24 FCC Rcd 13064 (2009).

² *Id.* at 13064.

³ *Preserving the Open Internet*, GN Docket No. 09-191, *Broadband Industry Practices*, WC Docket No. 07-52, Order, DA 10-306 (Wireline Comp. Bur. rel. Feb. 23, 2010).

⁴ CTIA – The Wireless Association® and United States Telecom Association Request for Extension of Reply Comment Deadline, GN Docket No. 09-191, WC Docket No. 07-52 (filed Apr. 7, 2010) (Associations’ Request); *see also* Open Internet Coalition Request For Extension Of Time To File Reply Comments, GN Docket No. 09-191, WC Docket No. 07-52 (filed Apr. 7, 2010) (Open Internet Coalition Request).

⁵ Associations’ Request at 1; *see also* Open Internet Coalition Request at 1-2; *Comcast Corp. v. FCC*, No. 08-1291, slip op. (D.C. Cir. Apr. 6, 2010).

⁶ 47 C.F.R. § 1.46(a).

4. We also remind interested parties of the upcoming staff workshop in this proceeding, which will take place as scheduled on April 28, 2010, in Seattle, Washington.⁷

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 Notice of Proposed Rulemaking in GN Docket No. 09-191 and WC Docket No. 07-52 IS EXTENDED to **April 26, 2010**.

6. IT IS FURTHER ORDERED that the Requests for Extension of Time filed by CTIA, the United States Telecom Association, and the Open Internet Coalition ARE GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett
Chief
Wireline Competition Bureau

⁷ See *FCC Announces Public Workshop in Seattle for Open Internet Proceeding*, Public Notice (rel. Mar. 26, 2010).