

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

In the Matter of )
Global Crossing Limited and Level 3 ) IB Docket No. 11-78
Communications, Inc. )
Applications for Consent to Transfer Control of ) FCC File Nos.:
Licenses and Authorizations, and Petition for a ) ITC-T/C-20110513-00133
Declaratory Ruling ) ITC-T/C-20110516-00136
) SCL-T/C-20110512-00014/15/16/17/18/19
) SES-T/C-20110513-00579
) ISP-PDR-20110513-00004

ORDER

Adopted: July 27, 2011

Released: July 27, 2011

By the Chief, Policy Division, International Bureau:

1. In this Order, we grant the request for extension of time filed by XO Communications, LLC ("XO") in the above-captioned proceeding. We find that it is in the public interest to extend to August 4, 2011 the deadline for XO to reply to the opposition jointly filed by Global Crossing Limited (GCL) and Level 3 Communications, Inc. (Level 3) (together, Applicants).

2. Applicants have filed a series of applications and a petition for declaratory ruling (collectively, Applications) seeking approval of the transfer of control of GCL and its wholly-owned subsidiaries which hold Commission licenses and authorizations to Level 3. The Commission issued a public notice on June 9, 2011, setting forth a pleading cycle according to which petitions to deny and comments were due by July 11, 2011, oppositions were due by July 21, 2011, and replies were due by July 28, 2011.1 XO filed comments, requesting confidential treatment, on July 11, 2011.2 Applicants filed their Joint Opposition and Reply Comments, requesting confidential treatment, on July 21, 2011.3 On July 22, 2011, the International Bureau issued both a Protective Order and a Second Level Protective Order, which provide protocols whereby the parties might view information filed as confidential and highly confidential.4

1 Public Notice, Applications Filed For the Transfer of Control of Global Crossing Limited to Level 3 Communications, Inc., IB Docket No. 11-78, DA 11-1019 (June 9, 2011).

2 Comments of XO Communications, LLC and accompanying exhibits (July 11, 2011). Pac-West Telecomm, Inc. also filed comments. See Comments of Pac-West Telecomm, Inc. (July 11, 2011).

3 Joint Opposition and Reply Comments of Level 3 Communications, Inc. and Global Crossing Limited and accompanying exhibits (July 21, 2011).

4 Global Crossing Limited and Level 3 Communications, Inc., IB Docket No. 11-78, Protective Order, DA 11-1229 (Int'l Bur., rel. July 22, 2011); Global Crossing Limited and Level 3 Communications, Inc, IB Docket No. 11-78, Second Level Protective Order, DA 11-1230 (Int'l Bur., rel. July 22, 2011).

3. On July 25, 2011, XO filed a request to extend the date to reply to the Applicants' July 21, 2011 filing to August 4, 2011, *i.e.*, one week after the July 28, 2011 date originally established by the Commission, stating that the extra week would provide "adequate time to fully and carefully analyze the information developed for the record."<sup>5</sup> That same day, Level 3 filed a letter opposing XO's request for an extension of time, stating that XO's request is "excessive and unwarranted by the circumstances."<sup>6</sup>

4. It is the policy of the Commission that extensions of time are not routinely granted. However, after reviewing the request for extension of time and the opposition to the extension of time, we conclude that the public interest is served by granting the limited extension that XO requests. Because lengthy pleadings have been filed by Applicants and XO, supported by declarations of experts discussing information subject to protective orders in this proceeding, four business days may not be sufficient time to prepare a reply in this case. Furthermore, there is no indication that a brief extension of one week, as requested, will impose a significant burden on any party to the proceeding or on Commission staff.

5. Accordingly, IT IS ORDERED, that pursuant to authority delegated in Section 0.261 of our rules, 47 C.F.R. § 0.261, XO's request for an extension of time IS GRANTED, and that the time for filing replies to the Applicants' July 21, 2011 filing IS EXTENDED until August 4, 2011.

FEDERAL COMMUNICATIONS COMMISSION

James Ball  
Chief, Policy Division  
International Bureau

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<sup>5</sup> Letter from Randall W. Sifers, counsel to XO Communications, LLC (July 25, 2011).

<sup>6</sup> Letter from Kristine Devine, counsel to Level 3 Communicastions, Inc. (July 25, 2011).