

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

In the Matter of)	
)	
Acceleration of Broadband Deployment:)	WC Docket No. 11-59
Expanding the Reach and Reducing the Cost of)	
Broadband Deployment by Improving Policies)	
Regarding Public Rights of Way and Wireless)	
Facilities Siting)	

ORDER

Adopted: August 16, 2011

Released: August 16, 2011

By the Chief, Wireline Competition Bureau:

1. On August 5, 2011, the National League of Cities et al. (the National Associations) filed a request for an extension of time to file reply comments in response to the Notice of Inquiry in this proceeding.¹ The Notice of Inquiry addresses government policies for obtaining access to rights of way and wireless facilities siting.² Comments were due by July 18, 2011, and the current deadline for filing reply comments is August 30, 2011.³ The National Associations request that the reply comment date be extended to October 31, 2011.⁴

2. The National Associations state that an extension is warranted because (i) it would allow communities to be notified of and respond to industry assertions regarding local governments' rights of way or facilities siting processes; (ii) the issues raised in this proceeding are broad and complex; (iii) events occurring during the reply period, such as several national conventions, will make filing by the current deadline difficult for certain associations; and (iv) it may allow the reauthorized Intergovernmental Advisory Council, which has not yet had its first meeting, to become involved. On August 11, 2011, Level 3 Communications, LLC (Level 3) filed an opposition to the Motion.⁵ Level 3

¹ National League of Cities et al., Motion for Extension of Time, WC Docket No. 11-59 (filed Aug. 5, 2011) (Motion).

² *Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting*, WC Docket No. 11-59, Notice of Inquiry, FCC 11-51 (Apr. 7, 2011).

³ *Comment Deadlines Set for Notice of Inquiry on Accelerating Broadband Deployment by Improving Public Rights of Way and Wireless Facilities Siting Policies*, WC Docket No. 11-59, Public Notice, DA 11-1047 (WCB June 10, 2011).

⁴ Motion at 3-5; *see also* SCAN, Comment in Support of the Motion for Extension of Time, WC Docket No. 11-59 (filed Aug. 9, 2011).

⁵ Level 3, Opposition to Motion for Extension of Time, WC Docket No. 11-59 (filed Aug. 11, 2011) (stating that parties have already had 102 days to file comments and an additional 45 days to file replies).

argues that continued uncertainty about rights-of-way management harms broadband deployment and the provision of communications services, and parties already have had adequate time to participate in this proceeding.

3. Although the Commission does not routinely grant requests for extension of time, we will extend the deadline to file reply comments in this proceeding by 31 days.⁶ In the instant proceeding, we find that providing additional time for replies will foster a more complete record and thus serves the public interest. We also find that this additional time will permit parties, such as local governments that are spread across the country, a fuller opportunity to gather relevant data and coordinate their response, if they so choose. However, we decline to grant the National Associations the full amount of extra time they requested. We find that an additional 31 days will provide a sufficient opportunity for parties to review and respond to comments. Accordingly, reply comments in this proceeding will be due on **September 30, 2011**.

4. Accordingly, IT IS ORDERED, pursuant to the authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291 that the National Associations' Motion for Extension of Time in the above-captioned proceeding IS GRANTED IN PART.

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett
Chief
Wireline Competition Bureau

⁶ See 47 C.F.R. § 1.46(a).