

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

In the Matter of	)	
	)	
Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (“Cramming”)	)	CG Docket No. 11-116
	)	
Consumer Information and Disclosure	)	CG Docket No. 09-158
	)	
Truth-in-Billing and Billing Format	)	CC Docket No. 98-170

**ORDER**

**Adopted: November 4, 2011**

**Released: November 4, 2011**

**Revised Reply Comment Date: December 5, 2011**

By the Chief, Consumer and Governmental Affairs Bureau:

1. On July 12, 2011, the Commission released a Notice of Proposed Rulemaking seeking comment on various proposals designed to assist consumers in detecting and preventing the placement of unauthorized charges on their telephone bills, an unlawful and fraudulent practice commonly referred to as “cramming.”<sup>1</sup> The *Cramming NPRM* sets deadlines for filing comments and reply comments at 60 and 90 days after its publication in the Federal Register,<sup>2</sup> which occurred on August 23, 2011.<sup>3</sup> Accordingly, the deadline for filing comments was set at October 24, 2011, and the deadline for filing reply comments was set at November 21, 2011.<sup>4</sup>

2. On October 27, 2011, the National Association of State Utility Consumer Advocates (NASUCA) submitted a Motion for Extension of Time to File Reply Comments seeking a 30-day extension of the reply comment deadline for all interested parties.<sup>5</sup> In support of its Motion, NASUCA states that such an extension is warranted because it will enable its members to review the large number of initial comments that were filed and to perform the coordination necessary for NASUCA to formulate thoughtful reply comments. NASUCA states that its annual conference is scheduled for November 13 - 16, 2011 and that this scheduling will make it more difficult for it to complete reply comments by the

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<sup>1</sup> *Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (“Cramming”); Consumer Information and Disclosure; Truth-in-Billing and Billing Format*, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170, Notice of Proposed Rulemaking, FCC 11-106 (rel. Jul. 12, 2011) (*Cramming NPRM*); Erratum (rel. Aug. 3, 2011).

<sup>2</sup> *Id.*

<sup>3</sup> See 76 Fed. Reg. 52625 (Aug. 23, 2011).

<sup>4</sup> See *Consumer and Government Affairs Bureau Announces Deadlines for Comments on Cramming Notice of Proposed Rulemaking* CG Docket Nos. 11-116 and 09-158, CC Docket 98-170, Public Notice, DA 11-1449 (rel. August 24, 2011).

<sup>5</sup> Motion for Extension of Time to File Reply Comments, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170 (filed October 27, 2011) (Motion) at 2-3.

current November 21, 2011 deadline.<sup>6</sup>

3. It is the policy of the Commission that extensions of time are not routinely granted.<sup>7</sup> Such extensions may, however, be warranted when, among other things, the additional time will serve the public interest.<sup>8</sup> In the instant proceeding, we find that providing additional time for all interested parties to file reply comments would be beneficial to the development of a complete record on the issues. We believe, however, that an extension of 14 days, rather than the requested 30 days, should provide adequate time for all parties to complete reply comments. In this regard, we note that NASUCA acknowledges that it will not be necessary for it to comment specifically on short comments,<sup>9</sup> which constitute the vast majority of the initial comments filed,<sup>10</sup> and that its annual conference will be four days long and be over on November 16, 2011.<sup>11</sup> Under these circumstances, we conclude that granting a 14-day extension of time to December 5, 2011 to file reply comments serves the public interest and extend the reply comment deadline to Monday, **December 5, 2011**.

4. Accordingly, **IT IS ORDERED**, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), and Sections 0.141, 0.361, and 1.46 of the Commission's Rules, 47 C.F.R. §§ 0.141, 0.361, 1.46, that the Motion for Extension of Time to File Reply Comments filed by the National Association of State Utility Consumer Advocates **IS GRANTED** to the extent indicated herein and **IS OTHERWISE DENIED**, and the deadline for filing reply comments in response to the *Cramming NPRM IS EXTENDED* to December 5, 2011.

FEDERAL COMMUNICATIONS COMMISSION

Joel Gurin  
Chief, Consumer and Governmental Affairs Bureau

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<sup>6</sup> *Id.* at 2.

<sup>7</sup> 47 C.F.R. § 1.46(a).

<sup>8</sup> See, e.g., *Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands*, WT Docket Nos. 04-356, 07-195, Order, 23 FCC Rcd 10527, 10528, para. 4 (WTB 2008); *Review of the Emergency Alert System*, EB Docket No. 04-296, Order, 25 FCC Rcd 1849 (PSHSB 2010).

<sup>9</sup> See Motion at 2.

<sup>10</sup> See [http://webapp01.fcc.gov/ecfs/comment\\_search/execute?proceeding=11-116&applicant=&lawfirm=&author=&disseminated.minDate=&disseminated.maxDate=&recieved.minDate=11%2F2%2F10&recieved.maxDate=&address.city=&address.state.stateCd=&address.zip=&daNumber=&fileNumber=&submissionTypeId=&checkbox\\_exParte=true](http://webapp01.fcc.gov/ecfs/comment_search/execute?proceeding=11-116&applicant=&lawfirm=&author=&disseminated.minDate=&disseminated.maxDate=&recieved.minDate=11%2F2%2F10&recieved.maxDate=&address.city=&address.state.stateCd=&address.zip=&daNumber=&fileNumber=&submissionTypeId=&checkbox_exParte=true) (visited November 2, 2011).

<sup>11</sup> See Motion at 2.