

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

In the Matter of)	
)	
Special Access for Price Cap Local Exchange Carriers)	WC Docket No. 05-25
)	
AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services)	RM-10593
)	

ORDER

Adopted: December 21, 2015

Released: December 21, 2015

New Comment Date: January 22, 2016

New Reply Comment Date: February 19, 2016

By the Associate Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) grants in part a request jointly filed by the United States Telecom Association (USTelecom) and ITTA – the Voice of Mid-Size Communications Companies (ITTA) (collectively, Joint Petitioners) seeking a further extension of time to submit comments and reply comments in the business data services (special access) rulemaking proceeding.¹ As discussed below, we further extend the deadline to submit comments to January 22, 2016 and reply comments to February 19, 2016. This limited further extension will provide interested parties additional time to analyze the collected data to help inform the Commission’s business data service reform efforts in the underlying rulemaking proceeding.

2. On December 11, 2012, the Commission adopted an order requiring providers and purchasers of special access and certain entities providing “best efforts” service to submit data and information for a comprehensive evaluation of the special access market.² The final deadline for responding to the data collection closed on February 27, 2015.³ On September 18, 2015, the Bureau released an order addressing objections to the release of confidential and highly confidential information

¹ See Joint Request for Extension of Time of USTelecom and ITTA, WC Docket No. 05-25, RM-10593 (filed Nov. 10, 2015) (Joint Petition); *Special Access for Price Cap Local Exchange Carriers*; *AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318 (2012) (*Data Collection Order or Special Access FNPRM*); Report and Order, 28 FCC Rcd 13189 (Wireline Comp. Bur. 2013); Order on Reconsideration, 29 FCC Rcd 10899 (Wireline Comp. Bur. 2014); Order, 29 FCC Rcd 14346 (Wireline Comp. Bur. 2014).

² See *Data Collection Order*, 27 FCC Rcd at 16324, para. 13.

³ See *Special Access for Price Cap Local Exchange Carriers*; *AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order, 29 FCC Rcd 14346 (Wireline Comp. Bur. 2014).

pursuant to the terms of a protective order.⁴ This action began allowing limited public access to the data, hosted by the Commission's secure data enclave vendor, NORC at the University of Chicago (NORC).⁵

3. In section IV.B of the *Special Access FNPRM* accompanying the order adopting the collection, the Commission sought comment on possible changes to its rules for the special access services provided by incumbent local exchange carriers (incumbent LECs) in price cap areas.⁶ The Commission set the comment deadlines on this portion of the *Special Access FNPRM* several months beyond the document's release date to give interested parties an opportunity to review the data and information collected before filing comments.⁷ The Bureau has subsequently extended these deadlines several times to account for delays in collecting the data and information, and in making it available for inspection. Most recently, in response to an earlier filed request for an extension of time filed by the Joint Petitioners, the Bureau released an order on November 2, 2015, extending the comment and reply comment due dates to January 6 and February 5, 2016, respectively.⁸

4. Very shortly after the release of the *Extension Order*, the Joint Petitioners requested a further extension of time until "at least twelve weeks after" the data set is declared "final" and once all the software tools sought by the Joint Petitioners to analyze the data are made available by NORC.⁹ On November 18, 2015, Sprint Corporation (Sprint) opposed the request, and INCOMPAS and the Competitive Carriers Association (CCA) also jointly filed in opposition.¹⁰ Both Sprint and members of INCOMPAS/CCA are in the process of analyzing the same data to which USTelecom raises timing concerns. According to INCOMPAS/CCA, the Joint Petitioners "exaggerate the problems with the special access data set and overstate the impact these issues will have on parties' ability to conduct a timely analysis."¹¹ Sprint stated the "request amounts to yet another transparent, groundless attempt to delay action in this important rulemaking proceeding."¹² On reply, the Joint Petitioners acknowledge that while "analyses can be completed by" the current comment deadline, the geospatial analysis that the Joint Petitioners intend to perform will require additional time.¹³

⁴ *Special Access for Price Cap Local Exchange Carriers; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Modified Data Collection Protective Order, 30 FCC Rcd 10027 (Wireline Comp. Bur. 2015) (*Modified Protective Order*).

⁵ See Press Release, FCC, FCC Takes Major Step in Review of Competition in \$40 Billion Special Access Market (Sept. 17, 2015), <https://www.fcc.gov/document/fcc-takes-major-step-review-40-billion-special-access-market>.

⁶ See *Special Access FNPRM*, 27 FCC Rcd at 16352-54, paras. 80-90.

⁷ See *id.* at 16359, para. 104.

⁸ See *Special Access for Price Cap Local Exchange Carriers; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order, DA 15-1239 (Wireline Comp. Bur. rel. Nov. 2, 2015) (*Extension Order*).

⁹ The Joint Petitioners specifically ask that we make the comment deadlines contingent on the satisfaction of two criteria: "(1) the Commission issues a Public Notice confirming that the data set has been finalized and a change control process has been instituted for any further modifications (including explanations for all future changes); and (2) all software and tools necessary to conduct relevant data analysis have been made available by NORC." Reply in Support of Joint Request for Further Extension of Time of USTelecom and ITTA, WC Docket No. 05-25, RM-10593, at 1 (filed Nov. 30, 2015) (Joint Reply); see also Joint Petition at 7-9.

¹⁰ Sprint Opposition to Joint Request for Further Extension of Time, WC Docket No. 05-25, RM-10593 (filed Nov. 18, 2015) (Sprint Opposition); Opposition of INCOMPAS and CCA to Request for Further Extension of Time, WC Docket No. 05-25, RM-10593 (filed Nov. 18, 2015) (INCOMPAS/CCA Opposition).

¹¹ ICOMPAS/CCA Opposition at 2.

¹² Sprint Opposition at 1.

¹³ Joint Reply at 3.

5. The Joint Petitioners raise a number of reasons as to why a further extension is warranted, namely alleged delays in obtaining access to the data and in obtaining software tools in the enclave, data structure questions, changes to the data set, time needed to conduct a geospatial analysis, and the requirements of the Administrative Procedure Act (APA). We conclude these arguments are without merit as explained below.

6. *Data Access.* Joint Petitioners continue to highlight that they did not complete the necessary training and obtain remote access to the enclave until October 20, 2015 and thus, have not had sufficient time to complete the analysis.¹⁴ We find these claims unpersuasive. First, the Joint Petitioners did not file their signed Acknowledgements of Confidentiality (Acknowledgements) by July 2, as encouraged by the Bureau, and were, accordingly, not included in the initial group placed on public notice per the objection process set forth in the *Protective Order*.¹⁵ Those included in the initial group were the first authorized by the Commission to obtain access to the enclave and were the first trained by NORC to obtain remote access. Objections lodged against the initial group of potential reviewing parties predictably caused delays in the authorization of subsequent parties filing Acknowledgments seeking access.¹⁶ Second, while the Joint Petitioners did not obtain “remote” access until October 20, they elected not to obtain direct access at NORC’s facilities in Bethesda, Maryland, that was available starting in late September. Third, notwithstanding the above, the Joint Petitioners have now had remote access to the enclave for almost nine weeks.

7. *Software Tools.* On October 1, 2014, the Bureau identified the baseline software tools available in the enclave after a notice and comment process.¹⁷ The Joint Petitioners did not notify the Commission of any concerns with the identified software tools or of their interest in obtaining additional software tools until after they had remotely accessed the enclave on October 20, 2015. At that time, more than a year after the Bureau disclosed the software tools available in the enclave, the Joint Petitioners asked for additional tools for the first time.¹⁸ NORC has worked diligently with the analysts on these requests and has either satisfied the requests absent additional charge or provided estimates where the cost of providing and maintaining the software tool is substantial and must be borne by the reviewing party requesting the software tool.¹⁹ Specifically, NORC has made several software tools available to members of the Joint Petitioners’ analytical team, including ArcGIS on October 29, 2015, 2013 maps for ArcGIS on November 9, 2015, HP Vertica Place on November 12, 2015, the TIGER census block shape files on November 12, 2015, and Stat/Transfer on November 16, 2015.²⁰ These tools, in addition to already

¹⁴ See Joint Petition at 6.

¹⁵ See *Wireline Competition Bureau Now Receiving Acknowledgements of Confidentiality Pursuant to Special Access Data Collection Protective Order*, WC Docket No. 05-25, RM-10593, Public Notice, 30 FCC Rcd 6421 (Wireline Comp. Bur. 2015) (encouraging parties to file Acknowledgements by July 2 “to help ensure timely access to the data”); *Special Access for Price Cap Local Exchange Carriers; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order and Data Collection Protective Order, 29 FCC Rcd 11657, 11673, Appx. A at para. 5 (Wireline Comp. Bur. 2014) (*Protective Order*).

¹⁶ See *Modified Protective Order*, 30 FCC Rcd at 10027, para. 1 (addressing objections filed against the initial group of potential reviewing parties and clearing the path for allowing data access through NORC).

¹⁷ See *Protective Order*, 29 FCC Rcd at 11663, paras. 16-17.

¹⁸ See Joint Petition at 9.

¹⁹ Even the Joint Petitioners’ own analyst acknowledges that “NORC has been responsive” to their requests for software tools. See Joint Petition, Attach., Declaration of Glenn Woroch in Support of Request for Extension of Time to File Comments at 10 (dated Nov. 10, 2015) (Woroch Declaration).

²⁰ In addition, on November 19, 2015, NORC provided the Joint Petitioners’ analysts with a cost estimate for installing and maintaining a PostgreSQL utility. We understand the analysts have not responded to NORC’s estimate.

provided SAS and Stata tools, are more than sufficient to analyze the collected data. Making comment deadlines contingent on future software tool requests of reviewing parties, as proposed by the Joint Petitioners, is unnecessary and would unreasonably delay the rulemaking proceeding. It also would provide parties with the unilateral ability to delay a long-pending rulemaking proceeding simply by asking for yet more tools beyond the ample tools already provided.

8. *Data Structure.* In the *Modified Protective Order* released September 18, 2015, the Bureau informed parties that it would mask the billing codes to protect critical infrastructure.²¹ After remotely accessing the enclave, the Joint Petitioners indicate that they were surprised to find the billing codes masked and first raised this as a problem on October 26, 2015.²² Since then the Bureau has provided cross-walk tables to assist parties in linking a substantial percentage of billing codes with descriptions for circuits at or below 1 gigabit per second (Gbps), while continuing to mask many of the billing codes for circuits above this threshold to address critical infrastructure security concerns. Accordingly, we do not find the presence of masked billing codes a reason to extend the comment deadlines.

9. Joint Petitioners also take issue with the Bureau not providing geocode information for all reported locations. In response to comments from parties submitting data in the data collection, the Office of Management and Budget (OMB) conditioned its approval of the Commission's data collection pursuant to the Paperwork Reduction Act of 1995 on the acceptance of location addresses absent geographic coordinates.²³ Accordingly, a number of filers did not provide us with geographic coordinates for their locations. NORC has, however, provided reviewers with the necessary software tools, upon request, to allow reviewing parties to geocode locations based on the addresses provided by filers. Separately, the Bureau conducted its own geocoding of locations and provided the results for the benefit of reviewing parties. Commenters can rely on their own geocoding or the geocoding that the Bureau has provided for the convenience of reviewing parties.

10. For a percentage of the total locations reported – about eight percent of the locations reported by competitive providers and about twelve percent of the locations reported by incumbent LECs – the Bureau was unable to geocode the locations due to insufficient address information provided by filers. This is a characteristic of the data received but the information nevertheless can provide important insights. A key value of the collected data is in what it can tell us relative to what we once knew. The number of locations filers reported in this data collection approaches two million, the vast majority of which can be geocoded. These geocoded locations we now have were by and large previously unknown to the Commission, thus making a crucial difference to our capacity, and that of commenters, to advance this proceeding.

11. In our judgment, these data will allow the Commission, the Joint Petitioners, and other interested parties to undertake, in a reasonable timeframe, analysis capable of revealing facts sufficient to bring the current proceeding to a timely conclusion. We reject the alternative of requiring filers to go to extraordinary lengths to report (but, in compliance with OMB, not geocode) all their locations so as to be amenable to standard geocoding processes. Such a requirement would greatly increase filer costs and

²¹ See *Modified Protective Order*, 30 FCC Rcd at 10038-39, para. 27, 10043, Appx. 2 (noting that the Billing_Code field would be masked).

²² See Woroch Declaration at 9.

²³ See, e.g., Paperwork Reduction Act Comments of the American Cable Ass'n on FCC 12-153, OMB Control No. 3060-XXXX, WC Docket No. 05-25, RM-10593, at 12-13 (dated Jan. 8, 2014), http://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=201311-3060-001 (discussing the lack of geocoded location information and the significant burden associated with producing such information); see also Notice of Office of Management and Budget Action, OMB Control No. 3060-1197 (Aug. 15, 2014), http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001# (conditioning approval on the optional provision of geographic coordinates).

impose on the industry costs due to delay in allowing the Commission to reach a decision in a long-pending major rulemaking proceeding, all without any likelihood of a commensurate benefit.

12. *Changes to the Data.* The Joint Petitioners allege that the data set was materially changed on October 23 resulting in an increased number of observations in the data set.²⁴ The increase was due to NORC making internal changes to its system to allow reviewer access to data observations inadvertently blocked when processing the data received from the Bureau. Since the Joint Petitioners did not start reviewing the data until after obtaining remote access on October 20, these changes were unlikely to have significantly impaired their analytical efforts.

13. We also note the Bureau has refreshed the data set on two occasions subsequent to the October 23 NORC changes. The most recent refresh was made available to reviewers on December 3. With each refresh, the Bureau provided the reviewers with an updated document detailing what has changed. In addition, the Bureau provided cross-walk files to assist reviewers in analyzing the data, e.g., a table linking reported competitive provider locations within the territory of a particular incumbent LEC wire center. These cross-walk files are helpful tools, not updates to the data, developed by the Bureau as a result of our own internal review and in response to requests from reviewers. The Bureau has not previously committed to providing any of these additional tables with limited exception.²⁵ Reviewers can rely on them as they see fit or develop their own tables to help analyze the data.

14. To support their claim of data instability, the Joint Petitioners highlight that data for forty competitive providers were added or supplemented with the refreshes.²⁶ The entities covered by these updates amounted to a relatively small percentage of the overall observations in the data set, and therefore, any analyst, including the Joint Petitioners', who initially relied on the earlier data, are unlikely to have been significantly misled and hence materially delayed, by reliance on the earlier data. Moreover, these updates corrected errors discovered in the data identified by reviewers (highlighting the value of early release and a key part of any data analysis – review that allows for the correction of problems) or were the result of our resolving technical issues with filers to allow the merging of their data into the data set. Inevitably, some time and effort is required in understanding a data set, especially one of this size and complexity, and the analytical benefits arising from such time and effort are not lost due to data revisions.

15. As with any Commission proceeding, the addition of new information to a pending record is appropriate and does not require parties to “start over” in any analysis already conducted. That is especially true here with such a large data set from hundreds of filers. At a certain point, however, we recognize that we will have to refrain from further refreshes of the data. We anticipate at this time one additional refresh due to recent resubmissions, notably by USTelecom member AT&T, to address omissions or problems with previously submitted data. We plan to deliver this update to NORC contemporaneously with the release of this Order, such that commenters will have ample time to review and supplement any already-conducted analyses.

16. Even with the data set subject to refresh, parties have been able to perform significant analysis. As Sprint correctly points out, parties are not starting from “square one” and the access provided to date has allowed reviewers to familiarize themselves with the data structure, identify the most useful data tables for their analysis, and “begin calculating key factors, such as basic market shares and

²⁴ See Joint Petition at 7.

²⁵ The Bureau did commit to providing a table showing census blocks where a competitive provider has reported having fiber. This table is an alternative to the provision of electronic maps showing fiber routes. The Bureau chose this alternative approach to mitigate risks to critical infrastructure. See *Modified Protective Order*, 30 FCC Rcd at 10038, paras. 25-26.

²⁶ See Joint Petition at 7.

concentration ratios.”²⁷ In addition, as noted, early release facilitated data correction, and early release allowed parties (and the Bureau) to develop code that may be run on any version of the data with few or no changes. And with the software tools sought by analysts now available (since mid-November), analysts can undertake the necessary computer coding to further analyze the data.²⁸

17. *Time Needed for Geospatial Analysis.* The Joint Petitioners concede that the “analyses can be completed” by the current comment deadline but state additional time is needed to complete their geospatial analysis.²⁹ Specifically, Dr. Glenn Woroch contends that between eight and ten weeks is needed because the analysts cannot write computer programs until they know the software tools available.³⁰ As noted above, the software tools allowing for the type of analysis sought by the Joint Petitioners have been made available since mid-November, thus the limited extension granted herein, discussed in more detail below, will provide reviewers with more than enough time to analyze the data.

18. Dr. Woroch also states that they cannot write computer programs until “location information regarding the CLEC fiber networks is available.”³¹ In the last refresh made available on December 3, the Bureau included a table showing a list of census blocks where a competitive provider owns, or leases pursuant to an Indefeasible Right of Use, a fiber route. The information on fiber routes for this table was derived from the usable mapping information received from filers. The Bureau provided this “census blocks with fiber” table, as explained in the *Modified Protective Order* released in September, as an alternative to providing the fiber network mapping files to mitigate risks to critical infrastructure.³²

19. Finally, Dr. Woroch alleges that the percentage of missing geocoded locations is an impediment to the geospatial analysis.³³ However, as explained above, a balance must be struck that takes into account the benefits of moving forward on the best evidence available in a timely fashion, and the costs of filer time and effort, and perhaps more importantly, of regulatory delay. In addition, as explained above, the Commission was prohibited from requiring submitting parties to submit geocoded location information and reviewers can perform their own geocoding of the reported locations. Reviewers can rely on their own geocoding or the geocoding that the Bureau has provided for the convenience of reviewing parties.

20. *APA Requirements.* Joint Petitioners argue the current deadline provides insufficient time to analyze the data and provide comments in the rulemaking proceeding, in violation of the APA.³⁴

²⁷ See Sprint Opposition at 4.

²⁸ The only software tool sought by the Joint Petitioners’ analysts that was not provided by NORC due to the associated cost is PostgreSQL. NORC did provide the Joint Petitioners’ analytical team with a cost estimate for installing and maintaining this utility on November 19, 2015, at the reviewing party’s expense. The analysts have not responded to NORC’s cost estimate as of the date of this Order. NORC has provided access to HP Vertica Place, which has geospatial query capabilities. HP Vertica Place, https://my.vertica.com/docs/7.1.x/HTML/index.htm#Authoring/Place/PlaceGuide.htm%3FTocPath%3DHP%2520Vertica%2520Place%7C_____0 (last visited Dec. 16, 2015).

²⁹ See Joint Reply at 3.

³⁰ Joint Reply, Attach., Reply Declaration of Glenn Woroch in Support of Request for Extension of Time to File Comments at 3 (dated Nov. 30, 2015) (Woroch Reply Declaration). Dr. Woroch provides no details on what geospatial analysis he proposes to undertake, of why it is central to his analysis, and why it would take so long beyond the no longer relevant lack of access to the necessary software.

³¹ *Id.* at 5.

³² See *Modified Protective Order*, 30 FCC Rcd at 10038, para. 25.

³³ See Woroch Reply Declaration at 4-5.

³⁴ See Joint Petition at 13-15.

Section 553(c) of the APA requires federal agencies to give “interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation.”³⁵ The APA “requires the agency to make available to the public, in a form that allows for meaningful comment, the data the agency used to develop the proposed rule.”³⁶ The APA does not specify a minimum period of time by which the agency must give interested parties an opportunity to review information in the record so as to participate in a rulemaking proceeding.³⁷

21. With the prior extensions of the comment deadlines in this proceeding, parties have had more than three years’ notice of the rulemaking proposals at issue in section IV.B of the *Special Access FNPRM*.³⁸ In addition, we have provided the Joint Petitioners with access to the collected data and analytical software tools in the enclave. Indeed, the Joint Petitioners’ analysts have had access for almost nine weeks.³⁹ And as Sprint notes, there is time under the current deadline to complete analyses,⁴⁰ a point the Joint Petitioners’ analysts do not refute.⁴¹

22. We do, however, recognize the need for adequate time for analysis. The questions to be answered here are complex, and require interrogating a large and sophisticated data collection. Accordingly, while the Joint Petitioners have failed to demonstrate that the current comment deadlines violate the APA, as discussed below, in the interest of receiving a full and complete record, we will give parties a limited extension of time to further analyze the collected information for participation in the rulemaking proceeding.⁴²

23. *Grant of Limited Extension of Time.* Although we find the Joint Petitioners have not demonstrated the need for a twelve week extension of time, we will extend the comment deadlines by an additional two and a half weeks to account for the upcoming data refresh.

24. Requests for extensions of time are not routinely granted.⁴³ Circumstances of requests are relevant, however, and extensions of filing periods in rulemaking proceedings have been extended to

³⁵ 5 U.S.C. § 553(c).

³⁶ See *Engine Mfrs. Ass’n v. EPA*, 20 F.3d 1177, 1181 (D.C. Cir. 1994); see also *Conn. Light and Power Co. v. Nuclear Reg. Comm’n*, 673 F.2d 525, 530 (D.C. Cir. 1982) (“[I]t is especially important for the agency to identify and make available technical studies and data that it has employed in reaching the decisions to propose particular rules.”).

³⁷ See *North Carolina Growers’ Ass’n, Inc. v. United Farm Workers*, 702 F.3d 755, 770 (4th Cir. 2012) (noting “the APA has not prescribed a minimum number of days necessary to allow for adequate comment” but suggesting that a 10-day comment period is rarely sufficient absent exigent circumstances); see also *Conn. Light and Power*, 673 F.2d at 532 (upholding a 30-day comment period when the technical background of the rules was sufficiently identified to allow for meaningful comment during the rulemaking process).

³⁸ See, e.g., *Data Collection Order*, 27 FCC Rcd at 16358, para. 104 (adopting *Special Access FNPRM* in December 2012 and announcing that comments on section IV.B were originally due by August 19, 2013 with reply comments due by September 30, 2013).

³⁹ And with the limited extension of time the Bureau grants today, the Joint Petitioners will have had more than three months of remote access to the collected data, and more than two months with access to the software tools they have requested, before comments are due.

⁴⁰ See Sprint Opposition, Attach., Declaration of Susan M. Gately in Support of Sprint’s Opposition at 1-2 (dated Nov. 18, 2015) (explaining that with the time already provided, she has made “significant headway in understanding the data and the structure of the special access marketplace” and has “begun calculating key factors, such as market shares and concentration ratios”).

⁴¹ Joint Reply at 3.

⁴² Access to the information and data under the revised scheduling enables “adversarial comment.” See *Home Box Office, Inc. v. FCC*, 567 F.2d 9, 55 (D.C. Cir.), cert. denied, 434 U.S. 829 (1977).

⁴³ See 47 C.F.R. § 1.46(a).

allow for a robust and complete record.⁴⁴ While issues are inherent in any data request and data set, particularly of the size and complexity here, Joint Petitioners have not established the need to delay comments and reply comments twelve weeks or more past a date uncertain. Moreover, it would unreasonably delay the proceeding to extend the deadlines past a date requiring the finality of each and every data point in the record, no matter its relevance, as it could make a single party submitting data the source of delay to the entire rulemaking proceeding. Nevertheless, we find that a modest extension of time will give all parties participating in this proceeding time for them to finalize their analysis of issues and data being considered. The amount of time provided is more than sufficient to give parties an opportunity to analyze the collected information and provide comment. We also recognize the ability parties have to supplement the record subsequent to the comment dates consistent with the Commission's rules.⁴⁵

25. Accordingly, IT IS ORDERED, pursuant to sections 1, 2, 4(i), 4(j), and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), and 155(c), sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.46, and the authority delegated to the Bureau in the *Data Collection Order*, 27 FCC Rcd at 16340, para. 52, that the request for extension of time filed by Joint Petitioners IS GRANTED to the extent described herein. The deadline for comments on section IV.B of the *Special Access FNPRM* is extended to **January 22, 2016**, and the deadline for reply comments is extended to **February 19, 2016**.

26. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Deena M. Shetler
Associate Chief
Wireline Competition Bureau

⁴⁴ See, e.g., *Amendment of Parts 0, 1, 2, 15 and 18 of the Commission's Rules regarding Authorization of Radiofrequency Equipment; Request for the Allowance of Optional Electronic Labeling for Wireless Devices*, ET Docket No. 15-170, RM-11673, Order, 30 FCC Rcd 8498, 8499, para. 3 (OET 2015) (extension to "provide sufficient time to address the complex technical issues"); *Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund*, WC Docket Nos. 11-42, 09-197, 10-90, Order, 30 FCC Rcd 8233, 8234, para. 5 (Wireline Comp. Bur. 2015) (extension to the reply comment filing deadline "will facilitate more thorough and deliberate consideration of the issues raised in this proceeding").

⁴⁵ 47 C.F.R. § 1.1200 *et seq.*