

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

In the Matter of)
)
Promoting the Availability of Diverse and) MB Docket No. 16-41
Independent Sources of Video Programming)
)
)

ORDER

Adopted: December 19, 2016

Released: December 19, 2016

Extended Comment Filing Deadline: January 26, 2017
Extended Reply Comment Filing Deadline: February 22, 2017

By the Chief, Media Bureau:

1. In this Order, we grant a request filed by Covington & Burling LLP, on behalf of itself and certain of its clients (“Covington”),¹ to extend the deadlines for filing pleadings in response to the Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceeding. On September 29, 2016, the Commission released the NPRM which seeks comment on proposed rules prohibiting “unconditional” most favored nation provisions and “unreasonable” alternative distribution method provisions in agreements between multichannel video programming distributors and independent programmers.² The NPRM provided 60 days for comments and 90 days for reply comments following publication in the federal register, which established deadlines of December 27, 2016 and January 23, 2017, respectively.³

2. On December 13, 2016, Covington filed a motion requesting that both the comment and reply comment deadlines for the NPRM be extended for 30 days.⁴ Covington asserts that the comment period encompasses several federal holidays⁵ and that an extension would serve the public interest by “ensur[ing] that commenters have sufficient time to evaluate and address the numerous and complex issues raised in the NPRM, prepare their submissions for filing, and respond thoughtfully to the comments of others,” which “will contribute to the development of a complete and helpful record.”⁶

¹ Multicultural Media, Telecom and Internet Council also supports the petition. Motion for Extension of Time, MB Docket No. 16-41, at 1 (filed Dec. 13, 2016) (Covington Motion).

² *Promoting the Availability of Diverse and Independent Sources of Video Programming*, MB Docket 16-41, Notice of Proposed Rulemaking, FCC 16-129 (Sept. 29, 2016) (NPRM).

³ *Id.* at 1.

⁴ Covington Motion at 1. Covington specifically requests an initial deadline of January 26, 2017 and a reply comment deadline of February 22, 2017. Covington Motion at 2.

⁵ Covington notes that the comment deadline falls on the first business day after a federal holiday and the time period separating the comment and reply comment deadlines encompasses two federal holidays. *Id.*

⁶ *Id.* at 1-2 & nn. 2 & 3.

3. The Commission does not routinely grant extensions of time,⁷ but the issues raised in this proceeding are complex and important to a wide range of interested parties, and we seek to encourage robust participation in the proceeding. We find that no party will be prejudiced by approval of the requested extensions.⁸ Thus, we find that the public interest would be served by granting Covington's request to extend the comment and reply deadlines for 30 days.

4. Accordingly, **IT IS ORDERED**, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 CFR §§ 0.61, 0.283, and 1.46, that the Motion for Extension of Time filed by Covington is granted, and the deadlines to file comments and reply comments in this proceeding are extended to January 26, 2017 and February 22, 2017, respectively.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

⁷ 47 C.F.R. § 1.46(a).

⁸ Covington Motion at 1.