

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

In the Matter of)	
)	
Sandwich Isles Communications)	WC Docket No. 09-133
Petition for Declaratory Ruling)	

ORDER

Adopted: April 15, 2016

Released: April 15, 2016

Revised Comment Date: April 28, 2016

Revised Reply Comment Date: May 9, 2016

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) grants in part and denies in part a Motion for Extension of Time filed by Sandwich Isles Communications, Inc. (Sandwich Isles) of the deadlines for comments in response to the Bureau’s Public Notice released March 15, 2016 in WC Docket No. 09-133.¹ As discussed more fully below, the Bureau finds that good cause exists to grant in part the request for a modest extension of time, for all comment filers.

2. On September 29, 2010, the Bureau released a *Declaratory Ruling* addressing issues related to Sandwich Isles and its cable network lease costs submitted for cost recovery through the National Exchange Carrier Association (NECA) pool.² Sandwich Isles filed a Petition for Reconsideration of the Declaratory Ruling in 2010³ and AT&T filed an Application for Review that same year.⁴ More recently, NECA filed a Petition for Clarification and/or Declaratory Ruling in this docket.⁵ On March 29, 2016, the Bureau released the *Sandwich Isles Public Notice* seeking comments on the proceeding, noting that “recent filings in the record indicate new or changed facts and circumstances that may be relevant to the Commission’s consideration” and that it is “appropriate to refresh the record in this proceeding.”⁶ Dates for comments and reply comments subsequently were set at April 18 and April 28, 2016, respectively.⁷

¹ *Wireline Competition Bureau Seeks to Refresh Record in WC Docket No. 09-133 and Seeks Comment on AT&T Application for Review, Sandwich Isles Petition for Reconsideration, and NECA Petition for Clarification and/or Declaratory Ruling*, Public Notice, DA 16-322 (WCB Mar. 29, 2016) (*Sandwich Isles Public Notice*).

² *Sandwich Isles Communications, Inc. Petition for Declaratory Ruling*, Declaratory Ruling, 25 FCC Rcd 13647 (WCB 2010) (*Declaratory Ruling*).

³ Sandwich Isles Communications Petition for Reconsideration, WC Docket No. 09-133 (filed Oct. 29, 2010).

⁴ Application for Review of AT&T Inc., WC Docket No. 09-133 (filed Oct. 28, 2010).

⁵ NECA Petition for Clarification and/or Declaratory Ruling, WC Docket No. 09-133 (filed Feb. 6, 2015).

⁶ *Sandwich Isles Public Notice* at 1.

⁷ *Id.*

3. On April 14, 2016, Sandwich Isles filed a Motion for Extension of Time.⁸ Sandwich Isles notes that “the record to be refreshed has been pending for a substantial period of time; over which period many changes have occurred that must be addressed by commenters, including Sandwich Isles,” and that an extension of time is required “to allow commenters sufficient time to collect documents and other materials, and perform the in-depth review needed to ensure that the comments submitted appropriately refresh the record that is now five years old.”⁹ Sandwich Isles requests a 15-day extension of time.¹⁰

4. Section 1.46 of the Commission’s rules provides that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.”¹¹ We do not agree with Sandwich Isles that an extension of 15 days would be appropriate. Upon review, however, we agree that a more modest time extension of 10 days will allow parties to provide us with more thorough comments that will facilitate the compilation of a complete record in this proceeding, without causing undue delay to the Commission’s consideration of these issues.

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 5, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 155, and 303(r), and sections 0.91, 0.291, and 1.46 of the Commission’s rules, 47 CFR §§ 0.91, 0.291, and 1.46, that the Sandwich Isles Communications, Inc. Motion for Extension of Time filed on April 14, 2016 IS GRANTED IN PART to the extent described herein and IS OTHERWISE DENIED, and the deadline for filing comments to the *Sandwich Isles Public Notice* is April 28, 2016 and reply comments is May 9, 2016.

FEDERAL COMMUNICATIONS COMMISSION

Matthew S. DelNero
Chief
Wireline Competition Bureau

⁸ Sandwich Isles Communications Motion for Extension of Time, WC Docket No. 09-133 (filed Apr. 14, 2016).

⁹ *Id.* at 1.

¹⁰ *Id.*

¹¹ 47 CFR § 1.46.