

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

In the Matter of
2017 Hurricane Response
PS Docket No. 17-344

ORDER

Adopted: February 16, 2018

Released: February 16, 2018

By the Chief, Public Safety and Homeland Security Bureau:

1. In this Order, the Public Safety and Homeland Security Bureau (Bureau) denies the National Hispanic Media Coalition’s (NHMC) request for an extension of time to file reply comments in response to the Public Notice Seeking Comment on Response Efforts Undertaken During the 2017 Hurricane Season (2017 Hurricane PN).1 We find that the request does not provide good cause to extend the time for commenters to file reply comments in this proceeding.

2. When the Bureau released the 2017 Hurricane PN on December 7, 2017, it set deadlines of January 22, 2018, for comments and February 21, 2018, for reply comments.2 On February 8, 2018, NHMC filed a Motion for Extension of Time, requesting an “eight-week or longer” extension of the reply comment deadline to allow communities impacted by the hurricanes to participate in the proceeding.3

3. Section 1.46 of the Commission’s rules provides that “[i]t is the policy of the Commission that extensions of time are not routinely granted.”4 However, the Commission may grant a waiver “if special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.”5 We find that NHMC has not shown good cause to provide at least an eight-week extension to file replies in this proceeding. We are concerned that granting the lengthy extension of time that NHMC requests would unduly limit the Bureau’s ability to assess the record, develop lessons learned and implement enhancements prior to the June 1 commencement of the 2018 hurricane season. We note that various stakeholders impacted by the hurricane season have filed comments in this proceeding, and it would be helpful to get their input, and that of others, in reply comments as soon as possible.6 As we

1 2017 Hurricane Response, Public Notice, PS Docket No. 17-344, 32 FCC Rcd 10245 (PSHSB 2017) (2017 Hurricane PN).

2 Id. at 1.

3 NHMC Motion for Extension of Time, PS Docket No. 17-344 at 5 (filed Feb.8, 2018) (NHMC Motion).

4 47 CFR §1.46.

5 See Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (citing WAIT Radio v. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969), aff’d, 459 F.2d 1203 (1973), cert. denied, 409 U.S. 1027 (1972)).

6 See, e.g., Puerto Rico Telecommunications Regulatory Board Comments (filed Jan. 22, 2018); Virgin Islands Telephone Corp. Comments (filed Jan. 22, 2018); Puerto Rico Telephone Company, Inc. Comments (filed Jan. 22, 2018); Juanita Rodriguez, Coordinator, Deaf Blind Project of Puerto Rico Comments (filed Jan. 9, 2018). A number of individual members of the public have also filed comments. See, e.g., Anita Davis, Consumer, USVI (filed Jan. 8, 2018). We note that NHMC also filed a motion for extension of time to file comments and reply comments in the

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mentioned in the *2017 Hurricane PN*, we anticipate developing topics from the comments and replies received for further exploration in workshops in the coming months.⁷ As such, we note that interested parties may file their comments through the *ex parte* process outlined in the *2017 Hurricane PN*.⁸

4. ACCORDINGLY, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), and 155(c), and sections 0.191, 0.392, 1.3, and 1.46 of the Commission's rules, 47 CFR §§ 0.191, 0.392, 1.3, and 1.46 that the National Hispanic Media Coalition's Motion for Extension of Time filed on February 8, 2018 IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Lisa M. Fowlkes
Chief
Public Safety and Homeland Security Bureau

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Lifeline proceeding based on some of the same hurricane-related considerations that it points to in this Motion. *See* NHMC Motion at 4 and n. 20, citing *Bridging the Digital Divide for Low-Income Consumers*, WC Docket No. 17-287, Order, DA 18-62 (Jan. 23, 2018). The Wireline Competition Bureau partially granted NHMC's motion in the Lifeline proceeding, but in that instance the extension did not adversely affect our ability to act where time is of the essence. In contrast, here we are now in the process of preparing for a hurricane season that will start on June 1.

⁷ *2017 Hurricane PN*, 32 FCC Rcd at 10247.

⁸ *Id.* at 10251.