

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

In the Matter of)	
)	
Communications Marketplace Report)	GN Docket No. 18-231
)	
Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion)	GN Docket No. 18-238
)	

ORDER

Adopted: August 17, 2018

Released: August 17, 2018

Revised Comment Date in GN Docket 18-238: September 17, 2018

Revised Reply Comment Date in GN Docket 18-238: October 1, 2018

By the Chief, Competition Policy Division, Wireline Competition Bureau:

1. By this Order, the Wireline Competition Bureau (Bureau) extends the deadline for filing initial and reply comments in response to the Fourteenth Broadband Deployment Report Notice of Inquiry until September 17, 2018 and October 1, 2018, respectively.¹ We deny a request to extend the deadline for filing comments in response to the Bureau's request for comment on the state of fixed broadband competition.²

2. The Bureau set a deadline of August 17, 2018 for filing comments on the state of fixed broadband competition. The Fourteenth Broadband Deployment Report Notice of Inquiry set dates for filing comments and reply comments on September 10, 2018 and September 24, 2018, respectively. On August 15, 2018, Public Knowledge, INCOMPAS, Common Cause, The Greenlining Institute, Communications Workers of America, Benton Foundation, Electronic Frontier Foundation, TEXALTEL, Federation of Internet Service Providers of America, and Northwest Telecommunications Association (collectively, Movants) jointly filed a Motion for Extension of Time (Motion), requesting a comment deadline of September 27, 2018 for both proceedings and a reply comment deadline of October 27, 2018 for the Fourteenth Broadband Deployment Report Notice of Inquiry.³

3. Movants contend that an extension is warranted to enable interested stakeholders to "notify the public, gather data, and submit meaningful comments."⁴ In the case of the deadlines for the Fourteenth Broadband Deployment Report Notice of Inquiry, Movants also request an extension because the comment and reply deadlines fall on certain religious holidays.⁵

¹ *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 18-238, Fourteenth Broadband Deployment Report Notice of Inquiry, FCC 18-119 (Aug. 9, 2018).

² *Wireline Competition Bureau Seeks Comment on the State of Fixed Broadband Competition*, GN 18-231, Public Notice, DA 18-784 (WCB July 27, 2018).

³ Motion for Extension of Time to File Initial Reply Comments, GN Docket Nos. 18-231, 18-238, at 5-6 (filed August 15, 2018) (Motion).

⁴ *See id.* at 5.

⁵ *Id.* at 4.

4. While it is the policy of the Commission that “extensions shall not be routinely granted,”⁶ we find that a short, five business day extension for the comment and reply comment deadlines for the Fourteenth Broadband Deployment Report Notice of Inquiry is appropriate in this case to avoid conflict with the holidays noted by the Movants. We otherwise deny movants’ requests to extend the comment deadlines in both proceedings.⁷ Given that the record in both proceedings will be used to assist the Commission in completing its statutorily mandated responsibility under the RAY BAUM’S Act of 2018 to prepare a Communications Marketplace Report no later than December 31, 2018,⁸ the extension requested by the Movants could inhibit the Commission’s ability to fully consider the record and meet its statutory obligations.

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 5, and 303(r) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), 155, and 303(r), and sections 0.91, 0.131, 0.291, 0.331, 1.46, and 1.415 of the Commission’s rules, 47 CFR §§ 0.91, 0.131, 0.291, 0.331, 1.46, and 1.415, that the Motion for Extension of Time filed by Public Knowledge, INCOMPAS, Common Cause, The Greenlining Institute, Communications Workers of America, Benton Foundation, Electronic Frontier Foundation, TEXALTEL, Federation of Internet Service Providers of America, and Northwest Telecommunications Association on August 15, 2018, is GRANTED IN PART and DENIED IN PART, as discussed herein, and the deadline for filing comments in response to the Fourteenth Broadband Deployment Report Notice of Inquiry is extended to September 17, 2018 and the deadline for filing reply comments is extended to October 1, 2018.

FEDERAL COMMUNICATIONS COMMISSION

Daniel Kahn
Chief
Competition Policy Division
Wireline Competition Bureau

⁶ 47 CFR § 1.46(a).

⁷ The Motion’s request to extend the comment deadline in response to the Bureau’s public notice regarding broadband competition is untimely as our rules require extension requests to be filed “at least 7 days before the filing deadline,” and the Motion was filed two days before the filing deadline. 47 CFR § 1.46(b). Because the Motion was untimely with respect to the Bureau’s broadband competition public notice, our denial of that extension request does not trigger the two-business day extension under section 1.46(b) of our rules. *See id.*

⁸ *See* Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Div. P-Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018, §§ 401-404, 132 Stat. 348, 1087-90 (2018) (RAY BAUM’S Act of 2018); 47 U.S.C. § 163(a).