

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

In the Matter of	)	
	)	
Petition of MCC Iowa LLC for Expedited	)	WC Docket No. 21-217
Declaratory Ruling Pursuant to Section 253(d) of	)	
the Communications Act	)	

**ORDER GRANTING EXTENSION OF TIME**

**Adopted: September 14, 2021**

**Released: September 14, 2021**

**Comment Date: October 7, 2021**

**Reply Comment Date: October 27, 2021**

By the Chief, Wireline Competition Bureau:

1. By this Order, the Wireline Competition Bureau (WCB) grants a joint request filed by MCC Iowa LLC (“Mediacom”) and the city of West Des Moines, Iowa (“City”) (collectively, the “parties”) to extend the comment and reply comment deadlines in the above-captioned proceeding.<sup>1</sup> For the reasons stated below, WCB finds that a limited extension of time is warranted and extends the comment date to October 7, 2021 and the reply comment date to October 27, 2021.

2. On August 13, 2021, WCB released a Public Notice seeking comment on a Petition for Declaratory Ruling filed by Mediacom asking the Commission to declare that rights and privileges conferred to one ISP under a contract with the City for the construction of a conduit network, together with regulatory and other burdens imposed on other ISPs by the City, effectively prohibit Mediacom from providing telecommunications services in violation of section 253(a) of the Communications Act.<sup>2</sup> The Public Notice set September 22, 2021 as the deadline for filing comments and October 12, 2021 as the deadline for filing reply comments.<sup>3</sup>

3. On September 10, 2021, Mediacom and the City filed a joint request for a fifteen-day extension of both the comment and reply comment filing deadlines.<sup>4</sup> The parties state that they have initiated settlement discussions to resolve the disputes raised in the Petition and a related state court action.<sup>5</sup> The parties explain that, while they have not reached a substantive agreement on a settlement, they would like additional time to explore settlement and have obtained a stay of the state court action for that reason.<sup>6</sup> They propose that a fifteen-day extension of the comment and reply comment filing

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<sup>1</sup> See MCC Iowa LLC and City of West Des Moines, Iowa, Joint Request for Extension of Time, WC Docket No. 21-217 (filed Sept. 10, 2021) (Joint Request), <https://www.fcc.gov/ecfs/filing/10910058507877>.

<sup>2</sup> See *Wireline Competition Bureau Seeks Comment On Petitions for Declaratory Ruling Filed Pursuant to Section 254 of the Communications Act*, Public Notice, WC Docket Nos. 21-323, 21-217 (WCB Aug. 13, 2021) (Public Notice); Petition of MCC Iowa LLC for Expedited Declaratory Ruling Pursuant to Section 253(d) of the Communications Act (filed May 12, 2021), <https://www.fcc.gov/ecfs/filing/1051284318481> (Petition).

<sup>3</sup> Public Notice at 1.

<sup>4</sup> See Joint Request at 1.

<sup>5</sup> *Id.* at 1.

<sup>6</sup> *Id.* at 1-2.

deadlines in this proceeding will allow them to use the next two weeks to focus on their settlement discussions without having to concurrently prepare comments/oppositions and reply comments.<sup>7</sup> No opposition to the Joint Request has been filed.

4. The Commission does not routinely grant extensions of time for filing comments.<sup>8</sup> In this case, however, the parties are seeking a limited extension to continue settlement discussions that may eliminate the need to act on the Petition or narrow the issues in dispute. We therefore conclude that the administrative efficiencies that could result from such discussions warrant granting the Joint Request, particularly given the relatively short duration of the requested extension. We also find that granting the requested extension will not disadvantage either of the parties or other commenters since Mediacom and the City submitted the request jointly and no other entity has opposed it. Accordingly, we grant the unopposed Joint Request and extend the comment deadline to October 7, 2021 and the reply comment deadline to October 27, 2021.

5. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.204, 0.291, and 1.46 of the Commission's rules, 47 CFR §§ 0.204, 0.291, 1.46, the Joint Request filed by Mediacom and the City is **GRANTED**.

6. **IT IS FURTHER ORDERED** that the dates to file comments and reply comments on the Petition **ARE EXTENDED** to October 7, 2021 and October 27, 2021, respectively.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith  
Chief  
Wireline Competition Bureau

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<sup>7</sup> *Id.* at 2.

<sup>8</sup> 47 CFR § 1.46.