

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

In the Matter of)
)
Targeting and Eliminating Unlawful Text) CG Docket No. 21-402
Messages)
)
)

ORDER

Adopted: November 18, 2022

Released: November 18, 2022

By the Chief, Consumer and Governmental Affairs Bureau:

I. INTRODUCTION

1. By this Order, the Consumer and Governmental Affairs Bureau (Bureau) of the Federal Communications Commission grants a request filed by the National Consumer Law Center (NCLC) and CTIA—The Wireless Association (CTIA) for an extension of the time in which to file reply comments in response to the Notice of Proposed Rulemaking (*Notice*) in this docket. As determined by the date of publication in the Federal Register, comments and reply comments were originally due on November 10, 2022 and November 25, 2022, respectively. Pursuant to this Order, we extend the reply comment date fourteen days to December 9, 2022.

II. BACKGROUND

2. On October 11, 2022, the Federal Register published a summary¹ of *Targeting and Eliminating Unlawful Text Messages*, CG Docket No. 22-402, Notice of Proposed Rulemaking.² The *Notice* sets deadlines for filing comments and reply comments at 30 and 45 days after the date of publication of the summary of the *Notice* in the Federal Register. Consistent with the *Notice*, the *Federal Register Notice* states that comments are due no later than November 10, 2022, and reply comments are due no later than November 25, 2022.³

3. On November 14, 2022, NCLC and CTIA submitted a request for a 14-day extension of time to file reply comments.⁴ These parties assert that an extension to the reply comment deadline is reasonable and warranted because the current reply comment period leaves insufficient time for parties to review the extensive comments in this complex proceeding and develop a complete record.⁵ They

¹ Federal Communications Commission, *Targeting and Eliminating Unlawful Text Messages*, 87 Fed. Reg. 61271 (Oct. 11, 2022) (*Federal Register Notice*).

² *Targeting and Eliminating Unlawful Text Messages*, CG Docket No. 21-402, FCC 22-72 (rel. Sept. 27, 2022) (*Notice*). The document is available on the Commission’s website at <https://www.fcc.gov/document/fcc-proposes-blocking-illegal-text-messages>.

³ See *Federal Register Notice*, 87 Fed. Reg. at 61271.

⁴ See National Consumer Law Center and CTIA Joint Request for Extension of Reply Comment Deadline, *Targeting and Eliminating Unlawful Text Messages*, CG Docket No. 21-402 (filed Nov. 14, 2022) (Extension Request).

⁵ Extension Request at 2.

observe that the reply comment period is reduced by two federal holidays—Veterans Day and Thanksgiving Day.⁶

III. DISCUSSION

4. As set forth in section 1.46 of the Commission’s rules, it is the policy of the Commission that extensions of time shall not be routinely granted.⁷ However, extensions may be considered “to the extent that good cause for an extension is demonstrated.”⁸ The criteria for granting requests for extensions of time “are that the extension be in the public interest, cause no harm to any party in the proceeding, and cause no significant delay.”⁹ The Commission has previously found that an extension of time is warranted when it is “necessary to ensure that the Commission receives full and informed responses and that affected parties have a meaningful opportunity to develop a complete record for the Commission’s consideration.”¹⁰

5. Here, the Bureau finds good cause to grant an extension of fourteen days. Veterans Day and Thanksgiving Day both fall within the reply comment deadline, shortening the normal time for reviewing comments, and drafting and filing replies. We also appreciate the parties’ interest in more fully developing the record in this proceeding. The Bureau therefore finds that a 14-day extension would be appropriate in this instance to give parties sufficient time to file and that such a brief extension would not interfere with the Commission’s ability to consider the issues raised in these proceedings in a timely manner.¹¹ Accordingly, reply comments are due no later than December 9, 2022.

6. To request materials in accessible formats (such as Braille, large print, electronic files, or audio format), send an email to: fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice).

7. For additional information, contact Mika Savir, Attorney Advisor, Consumer Policy Division, Consumer and Governmental Affairs Bureau, at mika.savir@fcc.gov, 202-418-0384.

IV. ORDERING CLAUSES

8. Accordingly, IT IS ORDERED, pursuant to sections 0.204, 0.361, and 1.46 of the Commission’s rules, 47 CFR §§ 0.204, 0.361, 1.46, that the National Consumer Law Center And CTIA Joint Request For Extension Of Reply Comment Deadline filed on November 14, 2022 is GRANTED as described herein.

⁶ *Id.*

⁷ 47 CFR § 1.46.

⁸ *See, e.g., Audio Enterprises, Inc. Apparent Liability for Forfeiture*, File No. ENF-88-04, Order, 3 FCC Rcd 5402, para. 2 (Com. Car. Bur. 1988).

⁹ *Id.*

¹⁰ *See, e.g., Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114, Order, 35 FCC Rcd 193, 194, para. 3 (PSSB 2020); *see also Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Order, 35 FCC Rcd 2998, 2999, para. 6 (WCB & OEA 2020).

¹¹ *See, e.g., Intel Corporation’s Request for Waiver of Section 76.640(B)(4) of the Commission’s Rules*, CS Docket No. 97-80, Order, 24 FCC Rcd 14104 (MB 2015) (in response to a request, extending deadline for filing oppositions to a waiver request by ten days “[g]iven that the Thanksgiving holiday effectively shortened the normal time for filing comments, and that the requested extension will not interfere with the Commission’s ability to timely consider the waiver request”).

9. IT IS FURTHER ORDERED that the date for filing reply comments in response to the *Notice* is EXTENDED to December 9, 2022.

FEDERAL COMMUNICATIONS COMMISSION

Alejandro Roark
Chief
Consumer and Governmental Affairs Bureau