

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)	
)	
TCI CABLEVISION OF OAKLAND)	
COUNTY, INC.)	
)	CSR-4790
Petition for Declaratory Ruling,)	
Preemption and Other Relief)	
Pursuant to 47 U.S.C. Sections)	
541, 544(e) and 253.)	

ORDER

Adopted: August 9, 1996

Released: August 12, 1996

By the Chief, Cable Services Bureau:

1. By this Order, we grant a motion ("Motion") filed by the City of Troy, Michigan ("Troy") extending from August 15, 1996 to August 30, 1996 the deadline for filing responses to the Petition for Declaratory Ruling, Preemption and Other Relief ("Petition") filed by TCI Cablevision of Oakland County, Inc. ("TCI"). The deadline for reply comments is extended until September 9, 1996.

2. On July 10, 1996, TCI filed its Petition asserting that Troy has restricted TCI's ability to upgrade its cable system and to offer telecommunications services in that city, allegedly in violation of various provisions of the Communications Act of 1934, as amended. We gave public notice of the Petition on July 26, 1995 and established an August 15, 1996 deadline for responses and an August 25, 1996 deadline for any reply.¹

3. Troy states that the dispute that is the subject of the Petition arises out of a permit application process involving various city departments and officials and that a brief extension is needed in order for it to reconstruct the factual record necessary to respond to the Petition.² Troy further notes that several of the statutory provisions at issue were enacted by Congress as part of the Telecommunications Act of 1996³ and have not previously been construed by the

¹ See Public Notice Report No. 1086, Mimeo No. 64207, Released July 26, 1996.

² Motion at 2.

³ Pub. L. No. 104-104, 110 Stat. 56, approved February 8, 1996.

Commission.⁴ Troy suggests that an extension will help ensure that the record contains a thorough analysis of these pertinent statutory provisions.⁵ Further, Troy advises that TCI has consented to the extension.⁶

4. For the reasons stated in the Motion, we find good cause to extend the comment period as requested by Troy.

5. Accordingly, **IT IS ORDERED** that the Motion for Extension of Time **IS GRANTED** and that responses to the Petition in this matter shall be filed no later than August 30, 1996 and any reply shall be filed no later than September 9, 1996.

6. This action is taken pursuant to delegated authority under Section 0.321 of the Commission's rules.⁷

FEDERAL COMMUNICATIONS COMMISSION

Meredith J. Jones
Chief, Cable Services Bureau

⁴ Motion at 2-3.

⁵ *Id.*

⁶ *Id.* at 3.

⁷ 47 C.F.R. § 0.321.