



**Federal Communications Commission  
Enforcement Bureau  
Market Disputes Resolution Division  
45 L Street, NE  
Washington, DC 20554**

**July 14, 2026**

## By Email

**LETTER ORDER RE: ADDITIONAL TIME TO FILE ANSWER**

**COMCAST CABLE  
COMMUNICATIONS, LLC,**

Complainant,

V.

**APPALACHIAN POWER COMPANY,**

Defendant.

Proceeding No. 25-330  
Bureau ID Number EB-25-MD-002

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Counsel for Comcast Cable Communications,  
LLC

Dear Counsel:

On July 7, 2026, Comcast Cable Communications, LLC (Comcast or Complainant) filed with the Commission a complaint against Appalachian Power Company (APCO or Defendant) under section 224 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 224.<sup>1</sup> By Letter Order dated July 8, 2026, the Commission ordered APCO to respond to the Complaint by August 6, 2026, and Comcast to file a reply by August 17, 2026.

On July 9, 2026, APCO filed a motion to extend the time for filing its Answer until September 3, 2026,<sup>2</sup> which Comcast opposed in a filing submitted on July 13, 2026.<sup>3</sup> Staff has reviewed the arguments in the motion and in the opposition, and, based on the totality of the circumstances present in this proceeding, we deny the motion in part. However, we allow APCO some additional time, until August 24, 2026, to file its Answer. We also modify the time for Comcast to file its Reply, until September 4, 2026.

The Commission does not routinely grant extensions of time in its proceedings, and a party seeking an extension of time must establish good cause for modifying the time frames established in the Commission's rules.<sup>4</sup> APCO was aware of the possibility of a complaint in this matter no later than May 11, 2026, when Comcast filed a letter with the Commission seeking assistance from the Rapid Broadband Assessment Team (RBAT) to resolve additional disputes between the parties that have arisen since the Commission's prior order on the merits.<sup>5</sup> For these reasons, we do not find that there is good cause to extend the time for answering the complaint to September 3, 2026.

Nevertheless, we do find good cause to grant a partial extension of time as set forth above. The application of cost allocation rules and principles to the facts in this proceeding is likely to be complex, and will likely require evidence from subject matter experts. APCO asserts that some of its businesspeople with expertise on these matters will be unavailable for part of the time preceding the current due date for the Answer. We find that a short extension will allow adequate time for more input on the issues in dispute in the Complaint and in the forthcoming Answer, and will enable a more informed decision by the Commission, without introducing unnecessary delay in the overall length of the proceeding.

Further, there is no disagreement that, at the current time, APCO is proceeding with pole replacements that are enabling Comcast to attach its equipment. Consumers would thus not be harmed by

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<sup>1</sup> Pole Attachment Complaint, Proceeding No. 25-330, Bureau ID Number EB-25-MD-002 (filed June 24, 2026) (Complaint).

<sup>2</sup> Appalachian Power Company's Opposed Motion for Extension of Time, Proceeding No. 25-330, Bureau ID Number EB-25-MD-002 (filed July 9, 2026)

<sup>3</sup> Opposition of Comcast Cable Communications to Appalachian Power Company's Motion for Extension of Time, Proceeding No. 25-330, Bureau ID Number EB-25-MD-002 (filed July 13, 2026).

<sup>4</sup> See, e.g., 47 CFR § 1.721(n).

<sup>5</sup> Letter from S. Thompson, Counsel for Comcast, to R. McEnery, *et al.*, FCC, Proceeding No. 25-330, Bureau ID Number EB-25-MD-002 (May 11, 2026); *Comcast Cable Communications v. Appalachian Power Co.*, Memorandum Opinion and Order, FCC 26-6, 2026 WL 328575 (Feb. 5, 2026). Further, in its prior order, the Commission ordered APCO to present revised make-ready cost estimates to Comcast, and the Commission stated that Comcast could seek to challenge the cost methodology used by APCO in preparing those estimates. *Id.* at \*\*13-14, paras. 47-49. Accordingly, APCO has been on notice since February that it would need to develop and potentially to defend a revised cost allocation methodology.

a short extension in the time for APCO to answer the Complaint. While Comcast claims that APCO is moving ahead with pole replacements only because Comcast is paying what it contends are inflated make-ready costs, Comcast also alleges that it is entitled to partial refunds of the amounts it has paid to APCO.<sup>6</sup> In these circumstances, a short extension of the time for APCO to answer the Complaint does not result in undue prejudice to Comcast.

We issue this Letter Ruling under sections 4(i), 4(j), and 224 of the Act, 47 U.S.C. §§ 154(i), 154(j), 224, sections 1.3, 1.720-1.740, and 1.1401-1.1415 of the Commission's rules, 47 CFR §§ 1.3, 1.720-1.740, 1.1401-1.1415, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311.

Sincerely,

/s/ Rosemary McEnery

Rosemary McEnery  
Chief, Market Disputes Resolution Division  
Enforcement Bureau

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<sup>6</sup> Complaint, at 34, para. 136 (alleging that Comcast is owed about \$37,164 in refunds as of the date of the Complaint).