

FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Market Disputes Resolution Division
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July 26, 2019

Copies sent by E-mail

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Counsel for Defendant

Re: *Crown Castle Fiber LLC v. Commonwealth Edison Company*,
Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005

Dear Counsel:

The reply pleadings of Crown Castle Fiber LLC (Crown Castle) are presently due on Thursday, August 1.¹ Crown Castle has requested extensions of these deadlines to Monday, August 5.² Commonwealth Edison Company (ComEd) opposes the request.³

Crown Castle bases its request on our order requiring ComEd to supplement its answer pleadings by July 30, and claims that it needs additional time to respond to the information to be contained in ComEd's

¹ See Letter from Lisa Saks, Assistant Division Chief, Market Disputes Resolution Division to all parties, Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005 (June 26, 2019); Joint Statement on Procedural Issues, Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005 (June 25, 2019).

² See Email from T. Scott Thompson to all parties, Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005 (July 26, 2019) (Thompson Request).

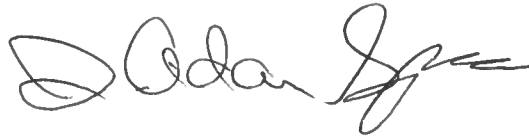
³ See Email from Thomas Magee to all parties, Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005 (July 26, 2019) (Magee Response).

supplemental pleadings.⁴ ComEd disputes the need for additional time, asserting that its supplement to the “counts” section of its answers will only “refer back to paragraphs already responded to.”⁵

Although ComEd’s supplemental pleadings may contain no new assertions in the counts section requiring a substantial reply by Crown Castle, we think ComEd should have the latitude to supplement that section in a substantive manner. Since we are giving ComEd that latitude, it is appropriate to provide Crown Castle a short extension of time to reply. In addition, affording a short extension to Crown Castle will not substantially prejudice ComEd. Therefore, Crown Castle’s requested extension is granted. The deadline for submission of Crown Castle’s replies is now 9:00 AM (Eastern) on Monday, August 5.

These instructions do not extend or otherwise alter any deadlines established in these proceedings.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "J. Adam Suppes", is written over a horizontal line.

J. Adam Suppes
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission

⁴ See Thompson Request; Letter from Rosemary McEnery, Chief, Market Disputes Resolution Division to all parties, Proceeding Numbers 19-169, 19-170, Bureau ID Numbers EB-19-MD-004, EB-19-MD-005 (July 25, 2019).

⁵ See Magee Response.