

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

In the Matter of	)	
	)	
Improving Competitive Broadband Access to Multiple Tenant Environments	)	GN Docket No. 17-142
	)	

**ORDER**

**Adopted: November 3, 2021**

**Released: November 3, 2021**

**Reply Comment Date: November 19, 2021**

By the Chief, Wireline Competition Bureau:

1. By this Order, the Wireline Competition Bureau (Bureau) grants a 15-day extension of time for filing reply comments to the *Public Notice* seeking to refresh the record in the above-captioned proceeding.<sup>1</sup> As a result, reply comments are now due on or before November 19, 2021.

2. On September 7, 2021, the Commission released the *Improving Competitive Broadband Access to Multiple Tenant Environments Public Notice (MTEs Public Notice)*, seeking to refresh the record in this proceeding following a 2019 Notice of Proposed Rulemaking.<sup>2</sup> The *MTEs Public Notice* set deadlines for filing comments and reply comments at 30 and 45 days, respectively, after a summary of the item was published in the Federal Register.<sup>3</sup> The Federal Register published that summary on September 20, 2021, and established deadlines of October 20, 2021, and November 4, 2021, for filing comments and reply comments, respectively.<sup>4</sup>

3. On October 27, 2021, NCTA filed a Request for Extension of Time seeking a 30-day extension of the reply comment deadline.<sup>5</sup> NCTA observes that “questions posed by the Public Notice raised complex and important issues regarding the broadband services in MTEs and how best to foster competition in that market, and a large array of stakeholders filed comments in response.”<sup>6</sup> It argues that due to the “volume and complexity of the record”—which includes numerous comments from a variety of different stakeholders that raise issues ranging from technical network configurations and the interplay between federal, state, and local regulatory schemes—more time is needed to review and respond.<sup>7</sup> NCTA asserts that “granting a modest extension” would provide “sufficient opportunity for all interested

<sup>1</sup> Federal Communications Commission, *Improving Competitive Broadband Access to Multiple Tenant Environments*, 86 Fed. Reg. 52120 (Sept. 20, 2021) (MTEs Federal Register Summary).

<sup>2</sup> See *Improving Competitive Broadband Access to Multiple Tenant Env'ts*, GN Docket No. 17-142, Public Notice, DA 21-1114, 2021 WL 4429541, at \*1 (WCB Sept. 7, 2021) (*MTEs Public Notice*); *Improving Competitive Broadband Access to Multiple Tenant Environments et al.*, GN Docket No. 17-142 et al., Notice of Proposed Rulemaking, 34 FCC 5702 (2019).

<sup>3</sup> *MTEs Public Notice*, DA 21-1114, at 1.

<sup>4</sup> MTEs Federal Register Summary.

<sup>5</sup> NCTA, Motion for Extension of Time to Reply, GN Docket No. 17-142, at 1 (filed Oct. 27, 2021) (Motion for Extension of Time).

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

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

parties to fully assess the arguments raised by commenters [which] is important to ensure the Commission has a complete record on which to act.”<sup>8</sup> NCTA also contends that allotting additional time “will assist the Commission as it considers ways to advance its goals of bridging the digital divide and facilitating enhanced broadband deployment in MTEs.”<sup>9</sup> No party has filed an opposition to NCTA’s request.

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.<sup>10</sup> In this case, however, NCTA has demonstrated that a limited extension of time is warranted to allow interested parties to address the complex issues raised by commenters representing a diverse set of stakeholders. Moreover, in refreshing the record, the Bureau sought to develop a more complete understanding of the issues previously raised in the 2019 Notice of Proposed Rulemaking.<sup>11</sup> Providing additional time for replies should improve the quality of reply comments and therefore strengthen the Bureau’s understanding of the relevant issues. At the same time, we find the 30-day extension that NCTA requested would unduly delay Commission consideration of the important issues raised in this proceeding. The 45-day reply period that NCTA requests would be unusual, and we find that a more typical 30-day reply period appropriately balances providing interested parties adequate time to prepare replies with allowing the proceeding to advance expeditiously. We therefore find that there is good cause for an extension of the reply comment deadline and that the public interest will be served by extending the reply comment deadline by 15 days to November 19, 2021.

5. Accordingly, **IT IS ORDERED** that, pursuant to sections 0.204, 0.291, and 1.46 of the Commission’s rules, 47 CFR §§ 0.204, 0.291, 1.46, that the Motion for Extension of Time filed by the NCTA on October 27, 2021, is GRANTED to the extent described herein.

6. **IT IS FURTHER ORDERED**, that the date for filing reply comments on the *MTEs Public Notice* is EXTENDED to November 19, 2021.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith  
Chief  
Wireline Competition Bureau

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 2.

<sup>10</sup> 47 CFR § 1.46.

<sup>11</sup> *MTEs Public Notice*, DA 21-1114, at 1.