

November 26, 2018

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Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84;
Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79**

Dear Ms. Dortch:

Verizon's Opposition¹ to the petitions for reconsideration of the Third Report and Order and Declaratory Ruling² ("the August 3rd Item") was properly filed and is consistent with the applicable page limits in the Commission's rules.³ To the extent there is any concern about the length of our filing, given the multiple rulings under consideration here we respectfully ask the Commission for waiver.

The August 3rd Item consists of a declaratory ruling and a rulemaking order. Under the Commission's rules, a 25-page limit applies to a petition for reconsideration of a declaratory ruling and an opposition thereto.⁴ A separate rule also applies a 25-page limit to a petition for reconsideration of a rulemaking order and an opposition thereto.⁵ The rules also impose different deadlines for filing a petition for reconsideration and oppositions thereto for rulemaking

¹ See Verizon Opposition to the Petitions For Reconsideration of the Third Report and Order and Declaratory Ruling (Nov. 9, 2018) ("Verizon Opposition"). Unless otherwise specified, all references to Commission documents or parties' filings are to both WC Docket No. 17-84 & WT Docket No. 17-79.

² *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Third Report and Order and Declaratory Ruling, FCC 18-111 (Aug. 3, 2018).

³ *Contra* Smart Communities and Special Districts Coalition Reply to Oppositions to Petition for Reconsideration at 2-3 (Nov. 19, 2018).

⁴ 47 C.F.R. § 1.106(f)-(g).

⁵ *Id.* § 1.1429(d), (f).

and non-rulemaking proceedings,⁶ and parties may file separately on each, with separate page limits.

In this case, for administrative convenience, the Commission adopted uniform deadlines for oppositions and replies for petitions to reconsider any portion of the August 3rd Item, but it did not change the applicable page limits.⁷ Parties here still requested reconsideration separately for both the declaratory ruling portion of the August 3rd Item and the rulemaking-order portion.⁸ In light of the Public Notice's uniform deadlines for oppositions, we filed a combined opposition to both sets of petitions in the interest of convenience and efficiency. About 15 pages of our filing opposed petitions for reconsideration of the declaratory ruling portion of the August 3rd Item, and about 14 pages of our filing opposed petitions for reconsideration of the rulemaking order.⁹ Thus, each part of our Opposition was well under the respective 25-page limit.

If the Commission has any concern with the applicable page limits, we respectfully request that it grant a limited waiver and accept our combined Opposition since it could have been filed as two separate documents without issue.¹⁰ Under these circumstances, good cause exists for the Commission to waive the applicable page limit.

Sincerely,



Roy E. Litland

cc: Garnet Hanly
Adam Copeland

⁶ *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Public Notice, WC Docket No. 17-84, DA 18-932, at 1-2 (Sept. 10, 2018) ("September 10th Public Notice").

⁷ See September 10th Public Notice at 2. The September 10th Public Notice retained the separate deadlines for filing petitions for reconsideration of the declaratory ruling and rulemaking portions of the August 3rd Item.

⁸ See County Road Association of Michigan Request for Reconsideration (Sept. 4 2018) (seeking reconsideration of Declaratory Ruling); Smart Communities and Special District Coalition Petition for Reconsideration (Sept. 4, 2018) (same); Coalition of Concerned Utilities Petition for Reconsideration (Oct. 15, 2018) (seeking reconsideration of Third Report and Order). See also September 10th Public Notice at 2 ("The deadline for filing petitions for reconsideration of the *Declaratory Ruling* has passed. The deadline for filing petitions for reconsideration of the *Third Report and Order* has not yet been set."). But see City of New York Petition for Reconsideration (Sept. 4 2018) (seeking reconsideration of Declaratory Ruling and portion of Third Report and Order).

⁹ See Verizon Opposition.

¹⁰ See 47 C.F.R. § 1.3 ("The provisions of this chapter may be suspended, revoked, amended, or waived for good cause shown, in whole or in part, at any time by the Commission, subject to the provisions of the Administrative Procedure Act and the provisions of this chapter. Any provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefor is shown.").