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November 11, 1997

VIA FEDERAL EXPRESS

Mr. William Caton, Acting Secretary
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

RE: CC Docket No. 97-219

Dear Secretary Caton:

Enclosed for filing on behalf of the City of Rice Lake, Wisconsin, are the original and four copies of its Motion For Extension Of Time, together with a Certificate Of Service. Also enclosed is an additional copy of the Motion. Please date-stamp that copy and return the same to me in the envelope provided.

Very truly yours,

BOARDMAN, SUHR, CURRY & FIELD

By


Anita T. Gallucci

ATG/jan
enclosures
cc: Curtis Snyder
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20544

In the Matter of)
)
CHIBARDUN TELEPHONE COOPERATIVE, INC.)
CTC TELCOM, INC.)
)
Petition for Preemption Pursuant to)
Section 253 of the Communications Act)
of Discriminatory Ordinances, Fees and)
Right-of-Way Practices of the City of)
Rice Lake, Wisconsin)
)

NOV 2 1997

CC Docket No. 97-219

MOTION FOR EXTENSION OF TIME

TO: The Commission

On October 10, 1997, Chibardun Telephone Cooperative, Inc., and CTC Telcom, Inc., (collectively, Chibardun) filed a Petition for Preemption Pursuant to Section 253 of the Communications Act of Discriminatory Ordinances, Fees, and Right-of-Way Practices of the City of Rice Lake (Chibardun Petition). On October 29, 1997, the Commission issued a public notice seeking comments on the Chibardun Petition and setting November 19, 1997 as the due date for the filing of comments and December 8, 1997 as the due date for reply comments.

The City of Rice Lake, Wisconsin (City) hereby moves the Commission to extend the comment period from November 19, 1997 to December 3, 1997. If such extension is granted, then the City requests that the reply period be extended a commensurate amount of

time -- from December 8, 1997 to December 22, 1997 -- so as not to prejudice persons wishing to submit reply comments in this proceeding. The City requests that the Commission consider this motion on an expedited basis and issue a ruling as quickly as possible, in advance of the November 19 filing deadline.

The City is requesting the extension of the comment period so it may fully analyze the Chibardun Petition and conduct the investigations necessary to determine the factual bases of the Petition. Moreover, after finalizing its investigations, the City anticipates submitting affidavits from City officials to support the factual allegations in the City's comments. Because counsel for the City is located far outside Rice Lake, additional time is needed to conduct the investigations and coordinate the preparation and signing of the affidavits.

Counsel for the City has spoken with counsel for the League of Wisconsin Municipalities¹ (League) and has been authorized to represent that the League supports the City's motion. The League supports the request for the two-week extension so that it will have adequate time to prepare its comments. Counsel for the League just recently received authorization from the League's Board to submit comments and was unable to commence working on the matter without such authorization. Moreover, the League's legal department is currently understaffed due to the maternity leave of its assistant legal counsel.

¹The League of Wisconsin Municipalities is an unincorporated, not-for-profit association of Wisconsin cities and villages governed by municipal officials selected by representatives of member municipalities. Its membership consists of 369 villages and all of the 189 cities in the State of Wisconsin, including the City of Rice Lake.

The City does not believe that this request for a two-week extension of the filing deadlines will disrupt the Commission's calendar nor will it result in prejudice to any party to this proceeding.

Counsel for the City has discussed the matter with counsel for Chibardun and has been authorized to represent that Chibardun consents to extending the comment and reply periods an additional four working days to November 25, 1997 and December 12, 1997, respectively.

WHEREFORE, the City requests that the Commission extend the comment and reply periods at least two weeks (to December 3 and December 22, respectively) or alternatively not less than four working days (to November 25 and December 12, respectively).

Dated this 11th day of November, 1997.

BOARDMAN, SUHR, CURRY & FIELD
By

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Attorneys for the City of Rice Lake,
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CERTIFICATE OF SERVICE

I, Janis Murray, an employee in the law firm of Boardman, Suhr, Curry & Field, hereby certify that on this 11th day of November, 1997, I did send by overnight mail (unless otherwise indicated below), a copy of the foregoing "Motion For Extension Of Time" to the following individuals:

Secretary
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

Janice M. Myles
Claudia Pabo
Common Carrier Bureau
Federal Communications Commission
Room 544
1919 M. Street, N.W.
Washington, D.C. 20554
(also via facsimile)

A. Richard Metzger, Jr., Chief
Common Carrier Bureau
Federal Communications Commission
Room 500
1919 M. Street, N.W.
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Gerald J. Duffy
Blooston, Mordkofsky, Jackson & Dickens
2120 L. Street, N.W.
Washington, D.C. 20037

ITS, Inc. (via first-class mail)
1231 20th Street, N.W.
Washington, D.C. 20036

Janis Murray