

JAN 16 1998

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Telecommunications Services)	CS Docket No. 95-184
Inside Wiring)	
)	
Customer Premises Equipment)	
)	
In the Matter of)	
)	
Implementation of the Cable)	
Television Consumer Protection)	MM Docket No. 92-260
and Competition Act of 1992:)	
)	
Cable Home Wiring)	

To: Chief, Cable Services Bureau

**OPPOSITION TO JOINT MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE REPLY COMMENTS**

Media Access Project and Consumer Federation of America (MAP/CFA) respectfully submit this opposition to the "Joint Motion" of The Independent Cable and Telecommunications Association (ICTA) and OpTel, Inc. (OpTel) for a 45 day extension of time for filing reply comments to the Commission's *Second Further Notice of Proposed Rulemaking*, FCC No. 97-376, (released October 17, 1997) in the above-captioned matter. MAP/CFA would not oppose a subsequent request for leave to file supplemental reply comments, were they filed within the same time frame and confined to issues responsive to initially filed comments.

Each day the Commission delays action on whether to disallow exclusive contracts between MVPDs and MDU owners is one more day that leaves viewers with little or no choice between MVPDs. ICTA and OpTel were on notice as of October 17, 1997 that comments were to be filed on this issue, and could have commissioned preparation of economic studies which would have been available for timely submission. ICTA and OpTel hardly needed to await the

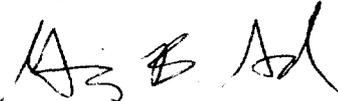
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submission of the first round of comments to realize that they would need to retain an economist.

Moreover, granting the requested extension would be inconsistent with prior Bureau practice in this docket. On October 2, 1997, the Bureau denied a request for a modest extension of time to file comments based on religious obligations because of the Commission's desire to act expeditiously in this docket. *Order*, DA 97-2140 (released October 2, 1997). It would be inequitable for the Bureau to grant a far longer extension in the absence of any compelling justification. Even in the absence of the requested extension, there is nothing in the Commission's rules that prevents ICTA and OpTel from seeking leave to submit economic arguments after the due date for reply comments. This course will avoid delay since the Commission can commence its decisionmaking process.

Wherefore, the Commission should deny the Joint Motion and grant all other such relief as is just and proper.

Respectfully submitted,



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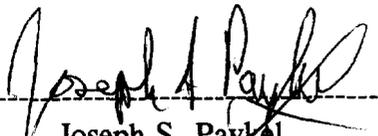
January 16, 1998

CERTIFICATE OF SERVICE

I, Joseph S. Paykel, hereby certify that I have this 16th day of January, 1998, mailed by First Class mail, postage prepaid, the foregoing "Opposition to Joint Motion for Extension of Time in Which to File Reply Comments" to the following:

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