

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

In the Matter of	
Ensuring Customer Premises Equipment Backup Power for Continuity of Communications	PS Docket No. 14-174
Technology Transitions	GN Docket No. 13-5
Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers	RM-11358
Special Access for Price Cap Local Exchange Carriers	WC Docket No. 05-25
AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services	RM-10593

MOTION FOR CLARIFICATION OR, IN THE ALTERNATIVE, EXTENSION OF TIME

Pursuant to Section 1.46(b) of the Commission's Rules,¹ Public Knowledge (PK) requests clarification, or in the alternative, an extension of time until January 23, 2015 to file responses to the United States Telecom Association's ("USTA") Petition for Reconsideration of the Declaratory Ruling in the above-captioned proceedings.² USTA filed its Petition for Reconsideration under Rule 1.429, which gives other parties the opportunity to file oppositions

¹ 47 C.F.R. § 1.46.

² See Petition for Reconsideration of the United States Telecom Association, *Ensuring Customer Premises Equipment Backup Power for Continuity of Communications*, PS Docket No. 14-174 *et al.* (Dec. 23, 2014).

within 15 days after Public Notice of the Petition's filing.³ However, because the Commission issued its declaratory ruling on its own motion, the Commission may deem this to be a Petition for Reconsideration in a non-rulemaking proceeding. In that case, Rule 1.106 only gives parties 10 days to file oppositions from the date of the Petition's filing.⁴

In the latter case, the timing of this particular Petition would result in many parties having little time to review and respond to the Petition for Reconsideration because most of the 10 days permitted by Rule 1.106 overlap with two of the most popular holiday vacation weeks of the year. Many offices effectively shut down between Christmas and New Years, making it highly unlikely that interested parties will become aware of the Petition, and imposing considerable hardship on parties wishing to comply. Finally, because USTA has filed its Petition citing Rule 1.429(f), even parties aware of the Petition are likely to assume that they will have until 15 days following public notice to file oppositions.

Public Knowledge requests that the Commission clarify that it will treat the Petition filed by USTA as a Petition filed under Rule 1.429(f) and allow parties to respond 15 days after issuance of a Public Notice. Alternatively, PK requests an extension to allow all stakeholders time to review and respond to USTA's Petition for Reconsideration. Several interested parties in these proceedings, including Public Knowledge, are small organizations that have limited staff and resources. Additionally, since this Petition was posted late in the afternoon on December 23, by the time the Petition was publicly available many stakeholders' employees were already out of town and unable to coordinate and access the necessary resources to fully respond to the Petition.

³ 47 C.F.R. § 1.429(f).

⁴ 47 C.F.R. § 1.106(g).

A brief delay at this stage in the proceeding is unlikely to cause any harm to any potentially interested party, and is more than compensated by the value of a complete record, which will assist the Commission in its own analysis of the Petition. Accordingly, Public Knowledge respectfully requests that the Commission clarify parties may file oppositions to USTA's Petition for Reconsideration 15 days after it is put out for Public Notice or, in the alternative, extend the deadline for Oppositions to the Petition for Reconsideration in the above-captioned proceedings to January 23, 2015.

Respectfully submitted,

/s/

Jodie Griffin

Senior Staff Attorney

PUBLIC KNOWLEDGE

1818 N Street, NW, Suite 410

Washington, DC 20036

jodie@publicknowledge.org

December 26, 2014

CERTIFICATE OF SERVICE

I certify that on December 26, 2014, I sent the foregoing Motion for Clarification or, in the Alternative, Extension of Time by email to the following:

Jonathan Banks
U.S. Telecom Association
607 14th Street, NW, Suite 400
Washington, DC 20005
(202) 326-7300
jbanks@ustelecom.org