Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

VERIZON FLORIDA LLC,	)	
	)	Docket No. 15-73
Complainant,	)	File No. EB-15-MD-002
	)	
v.	)	
	)	
FLORIDA POWER AND LIGHT COMPANY,	)	Related to
	)	Docket No. 14-216
	)	File No. EB-14-MD-003
Respondent.	)	
	)	

MOTION FOR EXTENSION OF TIME

Respondent, Florida Power and Light Company ("FPL"), by and through its attorneys, respectfully submits this Motion for Extension of Time in the above-captioned matter. In further support hereof, FPL states as follows.

1. Verizon Florida LLC ("Verizon") filed its Complaint in this matter on March 13, 2015 (the "Complaint"). On April 1, 2015, the parties filed a Joint Motion To Expedite Resolution Of Verizon's Pole Attachment Complaint. The Commission denied the joint motion. Thereafter, on April 16, 2015, issued an order accepting the parties' Joint Proposed Procedural Schedule setting forth a discovery and briefing schedule in this matter.

2. The Commission's pole attachment complaint procedure rules allow for motions for extensions of time, *see* 47 C.F.R. § 1.1407, which establish justification under 47 C.F.R. § 1.46. FPL hereby requests a brief extension of the procedural schedule for two reasons.

3. First, FPL has recently learned that its chosen expert witness for this matter will be unavailable until the middle of June.

4. Second, since the issuance of the Commission's April 16, 2015 Order setting the procedural schedule in this case, FPL has issued written discovery requests to Verizon, which responded to certain requests, raised a great number of objections to other requests and did not respond at all to some requests. The parties have been working together in good faith and cooperatively to resolve the resulting remaining discovery disputes. However, as a result, FPL does not anticipate having full and complete responses to its discovery with sufficient time to work with its expert witness and incorporate any additional materials received from Verizon into its response under the existing schedule.

5. Additional time will therefore be necessary to allow FPL and its expert witness adequate time to confer fully upon his return to work, prepare a complete response to the Complaint and address any additional discovery materials received from Verizon. Under the existing deadline for a response, FPL will be prejudiced because it will not be in a position to submit the expert testimony that it needs to present its position.

6. FPL requests a brief extension of the deadline to file a response to the Complaint, through and until June 29, 2015, and corresponding extensions for the deadlines applicable to Verizon. As such, the remaining deadlines in this proceeding would be modified as follows:

FPL Response to Verizon Complaint	June 29, 2015
Verizon Discovery Requests	July 6, 2015
FPL Objections to Verizon Discovery Requests	July 16, 2015
Second Status Conference / Order to resolve discovery issues, if needed	TBD
FPL Responses to Verizon Discovery Requests	July 24, 2015
Depositions of FPL Witnesses, if any	Week of July 27, 2015
Verizon Reply	August 20, 2015

7. These requested extensions will not cause prejudice to either party or unduly delay the FCC's docket and will facilitate the Commission's ability to decide this matter according to its usual practices based on a full and complete record.

8. FPL's counsel emailed Verizon's counsel regarding this request for extension and asked for a response from Verizon by the afternoon of May 29, 2015. That email also indicated that FPL would consent to any corresponding extensions of time needed for Verizon to accomplish its work in this matter adequately.

9. On May 29, 2015, Counsel for Verizon responded and declined to consent to the instant motion. Verizon claims that it will be prejudiced by any delay in this proceeding. Verizon, however, continues to use and accept all of the benefits of attaching to FPL's poles as a joint user while unilaterally paying FPL at the "new telecom rate," despite being told by the Commission in its February 11, 2015 order it was not similarly situated to any CLECs. "Verizon has already reaped the benefits of the Agreement and will continue to enjoy those benefits into the future. As a result, Verizon is not comparably situated to other Florida Power attachers." *In the Matter of Verizon Florida LLC*, Memorandum Opinion and Order, Docket No. 14-216, File No. EB-14-MD-003, DA 15-187, 61 Communications Reg. (P&F) 1638, ¶24, n.83 (2015). Verizon thus is suffering no financial prejudice, but rather enjoying the benefits of unlawful self-help. To the extent Verizon claims that it will suffer prejudice to the vacation schedules of its litigation team, that issue is easily resolved. FPL remains willing to work in good faith to establish time frames that accommodate any affected vacation schedules.

Wherefore, FPL respectfully requests that the Bureau expeditiously grant this motion for extension of time for both FPL's Response and Verizon's corresponding deadlines.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2015, I caused a copy of the foregoing Motion For Extension of Time to be filed via the Federal Communications Commission's Electronic Comment Filing System and to be served on the following (service method indicated):

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