

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

In the Matter of)
)
Rates for Interstate Inmate Calling Services) WC Docket No. 12-375
)

ORDER

Adopted: January 29, 2016

Released: January 29, 2016

Revised Reply Comment Date: February 8, 2016

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) grants in part two requests for extension of the reply comment deadline in response to the Third Further Notice of Proposed Rulemaking (*Third Further Notice*) in WC Docket No. 12-375, filed on January 27, 2016 by Telmate, LLC (Telmate) and January 28, 2016 by Pay Tel Communications, Inc. (Pay Tel) (together “Petitioners”).¹ As discussed more fully below, the Bureau finds that good cause exists to grant in part Petitioners’ requests for an extension of time for all reply comment filers.

2. On November 5, 2015, the Commission released its Second Report and Order and *Third Further Notice* in this proceeding.² Dates for comments and reply comments subsequently were set at January 19, 2016 and February 1, 2016, respectively.³

3. Petitioners request that parties be allowed a 15-day extension of the reply comment deadline in this proceeding.⁴ Petitioners explain that because the deadline for initial comments was pushed to January 19 because it otherwise would have fallen on the weekend of a federal holiday, the resulting reply comments due date provided only a 13-day turnaround from when comments were filed, rather than the 15-day contemplated turnaround.⁵ Telmate also notes that commenters have lost additional business days to Winter Storm Jonas, which shut down the federal government and many other businesses in Washington, DC for two and a half days.⁶ Thus, Petitioners argue, an extension of the reply comment deadline is “appropriate to enable affected stakeholders—including both industry and public safety interests alike—to thoroughly review the information put on the record to date and to inform the

¹ Telmate, LLC Request for Extension of Reply Comment Deadline, WC Docket No. 12-375 (filed Jan. 27, 2016) (Telmate Petition); Pay Tel Communications, Inc. Request for Extension of Time to File Reply Comments, WC Docket No. 12-375 (filed Jan. 28, 2016) (PayTel Petition).

² *Rates for Interstate Inmate Calling Services*, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd 12763 (2015).

³ *Wireline Competition Bureau Announces the Comment Cycle and Effective Dates for the Inmate Calling Second Report and Order and Third FNPRM*, Public Notice, DA 15-1484 (WCB Dec. 22, 2015).

⁴ Telmate Petition at 1; Pay Tel Petition at 1.

⁵ *Id.*

⁶ *See* Telmate Petition at 2.

Commission of their response.”⁷ The Wright Petitioners acknowledge the requests for extension of time to file reply comments, and do not object to the limited extension of time requested by Petitioners.⁸

4. Section 1.46 of the Commission’s rules provides that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.”⁹ Upon review, we agree that a modest time extension will allow parties to provide us with more thorough reply comments that will facilitate the compilation of a complete record in this proceeding, without causing undue delay to the Commission’s consideration of these issues. We find, however, that a seven-day extension will be sufficient for this purpose and is more appropriate than the requested 15-day extension.

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 5, and 303(r) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), 155, and 303(r), and sections 0.91, 0.291, 1.46, and 1.415 of the Commission’s rules, 47 CFR §§ 0.91, 0.291, 1.46, and 1.415, that the Telmate Petition filed on January 27, 2016, and the Pay Tel Petition filed on January 28, 2016, ARE GRANTED IN PART to the extent described herein, and the deadline for filing reply comments in response to the *Third Further Notice* IS February 8, 2016.

FEDERAL COMMUNICATIONS COMMISSION

Matthew S. DelNero
Chief
Wireline Competition Bureau

⁷ See *id.* at 2-3.

⁸ See Wright Petitioners Comment on Motions for Extension of Time, WC Docket No. 12-375 (filed Jan. 28, 2016).

⁹ 47 CFR § 1.46.