

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Business Data Services in an Internet)	WC Docket No. 16-143
Protocol Environment)	
)	
Special Access for Price Cap)	WC Docket No. 05-25
Local Exchange Carriers)	

MOTION FOR EXTENSION OF TIME

May 13, 2016

Steven F. Morris
Jennifer K. McKee
National Cable & Telecommunications
Association
25 Massachusetts Avenue, NW – Suite 100
Washington, D.C. 20001-1431

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MOTION FOR EXTENSION OF TIME

The National Cable & Telecommunications Association (NCTA) requests that the Commission extend the deadline for filing comments in the above-referenced proceeding by at least 45 days and the deadline for filing reply comments by at least an additional 30 days.¹ Faced with an opportunity to resolve a complex proceeding regarding rates charged by incumbent local exchange carriers (LECs) that is finally ripe for resolution after more than a decade of regulatory activity, the Commission instead issued a complicated, voluminous *Further Notice* that significantly expands the scope of the proceeding to cover new services, new providers, and new issues. The pleading cycle adopted by the Commission fails to reflect the radically expanded scope of the proceeding, severely constrains the ability of NCTA’s member companies to meaningfully participate in this proceeding, and lends credence to concerns raised by one commissioner that “the outcome is predetermined.”² For all the reasons explained below, the requested extension of time should be granted.

¹ *Business Data Services in an Internet Protocol Environment*, WC Docket No. 16-143, Tariff Investigation Order and Further Notice of Proposed Rulemaking, FCC 16-54 (rel. May 2, 2016) (*Further Notice*).

² *Id.*, Dissenting Statement of Commissioner Michael O’Rielly at 3.

INTRODUCTION AND SUMMARY

The Commission often states that extensions of time are not routinely granted. Even if that were true,³ there is nothing routine about the *Further Notice* and the inadequate pleading cycle the Commission adopted. It has now been fourteen years since the Commission first started to consider the possibility of modifying the pricing flexibility rules that govern rates charged by price cap incumbent LECs⁴ and four years since the Commission suspended its old pricing flexibility rules and started the data collection process that led to creating the largest data set in Commission history.⁵ Yet in spite of all of this history and all of this data, the *Further Notice* does not actually resolve these issues, or even propose rules that might resolve these issues.

Instead, the *Further Notice* significantly expands the scope of the proceeding to include new types of services and new types of providers that had never previously been covered by the price cap regime. In keeping with the dramatically expanded scope of the proceeding, the *Further Notice* asks hundreds of new questions about the appropriate regulatory regime to govern this \$45 billion marketplace. It also seeks comment on a lengthy new analysis of the data collection by the Commission's consultant which has not previously been subject to peer review or public review.⁶

³ Based on our informal review of the Commission's website, the Commission has granted 52 extension requests out of 61 such requests, or 85 percent, during Chairman Wheeler's chairmanship. It also has granted 15 extensions on its own motion. A complete list is attached as Appendix A. Included in these figures are eight extensions of pleading cycles in this proceeding alone, two requested by parties and six on the Commission's own motion.

⁴ See *AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier rates for Interstate Special Access Services*, RM-10593 (filed Oct. 15, 2002) (AT&T Petition).

⁵ *Further Notice*, Statement of Commissioner Jessica Rosenworcel at 1 ("In fact, we have assembled perhaps the single largest dataset in the history of the Commission. But that was the easy part. Now comes the hard part – finding a way forward.").

⁶ As of the time of this filing, the Commission had not yet released the promised peer review of this report, which constitutes a significant input to the Commission's analysis in the *Further Notice*. In addition, parties also have

To say this is a weighty item is an understatement. Each element of the item (including but not limited to: (1) how to define the market; (2) the appropriate geographic area to use for analysis and regulation; (3) how to fashion a test to determine whether a market is competitive; (4) the regime to govern TDM services in competitive and non-competitive markets; (5) the regime for Ethernet services in competitive and non-competitive markets; (6) which providers to subject to regulation; (7) consideration of significant ongoing data collection; (8) potential regulation of non-price terms and conditions; and (9) whether to detariff offerings (and how to ensure compliance in the absence of tariffs) raises dozens of complex questions. Given how difficult it has been for the Commission to move forward with this docket when it was narrowly limited to modifying the price cap rules for incumbent LEC TDM-based services, it is hardly surprising that the greatly expanded scope of the *Further Notice* triggered concerns from two of the three commissioners that voted for the item about the level of complexity and the corresponding challenge of developing an administrable regime.⁷

Against this backdrop, the notion that parties to the proceeding should have less than two months to prepare comments and less than one month for reply comments sends an unmistakable signal that the Commission is not really interested in building a full and complete record.⁸ To expect the cable industry to meet that deadline is particularly unreasonable given that, until the

explained that a full review of this report is not possible unless the Commission releases information that enables third parties to replicate the analysis. *See* Letter from Jonathan Banks, USTelecom, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 16-143 (filed May 11, 2016).

⁷ *Further Notice*, Rosenworcel Statement at 1 (“Third, our policies must be capable of administration. It is simple to draw complex conclusions from the data before us. But we must modernize special access in a way that is both smart and practical.”); Statement of Commission Mignon Clyburn at 1 (“I must confess to being concerned about the complexity of some aspects of the *Further Notice*, and how feasible it will be for the agency as well as for entities that provision the facilities and providers that purchase these services to administer.”).

⁸ The vast majority of Commission notices of proposed rulemaking tie the pleading cycle to Federal Register publication. The Commission’s failure to do so here seems to reflect the arbitrary goal of concluding the proceeding by the end of the year rather than any interest in developing a full and complete record. *Id.*, Wheeler Statement at 2 (“With a determined effort, we can and will adopt a business data services reform Order in 2016.”).

day the item was circulated by the Chairman, the Commission had given no notice in the fourteen year history of this proceeding that rates charged by cable operators might be subject to regulation or that there was even a reason to consider such regulation. If the agency truly seeks to obtain meaningful input from the parties and consider that input in its decision-making process, as it is required to do under the Administrative Procedures Act (APA),⁹ it must extend the deadlines for comments and reply comments by at least 45 days and 30 days respectively. Any other result would deprive affected parties of sufficient time to respond and jeopardize the Commission's ability to craft a sound regulatory regime for a critical segment of the communications marketplace.

I. PREPARING A MEANINGFUL RESPONSE TO THE HUNDREDS OF COMPLEX QUESTIONS ASKED IN THE FURTHER NOTICE REQUIRES ADDITIONAL TIME

A. The Commission Has Significantly Expanded the Scope and Complexity of the Proceeding

For fourteen years, the purpose of the *Special Access* proceeding was limited to considering whether and how to modify the pricing flexibility regime the Commission adopted for price cap incumbent LECs in 1999.¹⁰ After working on that issue for roughly a decade, the Commission decided in 2012 to suspend the existing rules and consider new ones only after it completed a massive data collection.¹¹ Four years later, after forcing hundreds of companies to

⁹ 5 U.S.C. § 553.

¹⁰ *Special Access for Price Cap Local Exchange Carriers*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Red 16318 (2012) (*2012 Further Notice*) at ¶ 80 (noting that once data is collected "we may modify the existing pricing flexibility rules or adopt a new set of rules that will apply to requests for pricing flexibility."); *Special Access Rates for Price Cap Local Exchange Carriers*, Order and Notice of Proposed Rulemaking, 20 FCC Red 1994 (2005) (*2005 NPRM*) at ¶ 70 ("As part of our examination of the proper price cap special access regulatory regime to adopt post-CALLS, therefore, we also examine whether the Commission's pricing flexibility rules have worked as intended and if not, whether they should be modified or repealed."); AT&T Petition at 1 ("AT&T hereby requests that the Commission promptly initiate a rulemaking to reform regulation of price cap incumbent local exchange carrier rates for interstate special access services.").

¹¹ *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, Report and Order, 27 FCC Rcd 10557, 10558, ¶ 1 (2012).

spend millions of dollars on the most elaborate data collection in the Commission’s history, the Commission has now decided to defer any resolution of the issues originally under consideration. Rather than finally resolving these *Special Access* issues, the Commission instead has issued a *Further Notice* seeking comment on a top-to-bottom overhaul of the entire regulatory framework governing the *Business Data Services* marketplace.

The transition from *Special Access* to *Business Data Services* is not just a superficial name change. The *Further Notice* expands the scope of this proceeding in a number of significant ways. Rather than focusing on modifying the pricing flexibility triggers, the Commission is now asking parties to comment on “all aspects of our price cap system for business data services.”¹² Rather than focusing on rates for TDM-based dedicated services, the Commission now suggests that the principle of technological neutrality compels it to consider an entirely new regime of rate regulation for IP-based Ethernet services.¹³ And rather than continuing to focus on the only set of carriers that conceivably could have market power in this segment of the marketplace – incumbent LECs – the Commission engages in a “radical”¹⁴ departure from precedent by seeking comment on whether and how to regulate rates charged by facilities-based competitive providers.¹⁵

¹² *Further Notice* at ¶ 346.

¹³ *Id.*, ¶ 430 (“We propose to evaluate the reasonableness of rates for packet-based BDS services by benchmarking them against the incumbent LEC’s TDM price for the most comparable level of service available, and over time, as TDM services are discontinued, benchmarking them against packet-based BDS rates established as being just and reasonable under this approach.”).

¹⁴ *Id.*, O’Rielly Statement at 2.

¹⁵ *Id.*, ¶ 429 (“In non-competitive areas, should all providers be subject to rate regulation or should only some providers be so impacted? If the latter, how should we determine which providers?”); *id.* at ¶ 309 (“Alternatively, should we apply specific rules to any firm in the non-competitive market that has a near ubiquitous network in the local territory and rights of way? This could result in specific rules applying to more than one firm in the non-competitive area. Another approach is to apply this framework to all BDS providers in the non-competitive area.”). Remarkably, nothing in the Commission’s discussion of which carriers should be regulated gives any hint that the proposal to regulate any entity other than the dominant carrier would do away with four decades of precedent to the contrary.

In keeping with the massive expansion of the scope of this proceeding, the *Further Notice* asks hundreds of questions on a broad range of exceedingly complex issues, many of which have either not been considered previously by the Commission or, with respect to price cap formulation, have not been seriously considered in a generation. The *Further Notice* includes no proposed rules for parties to comment on and many of the questions seem far more appropriate for a Notice of Inquiry than a Notice of Proposed Rulemaking.

For example, the “benchmark” proposal for regulating a provider’s Ethernet rates based on rates that other providers charge for different services has a “back of the envelope” feel that is wholly insufficient for an agency seeking for the first time to regulate one of the most dynamic segments of the communications marketplace.¹⁶ The proposal fails to give the hundreds of companies that provide these services any reasonable expectation as to how this benchmarking would work in the real world or how this regime would account for a variety of factors – such as cost, geographic location, and quality of service – that should be essential considerations in any ratemaking regime but in this case are relegated to a single catchall question in the *Further Notice*.¹⁷ Companies affected by this proposal, including NCTA’s members, will need to devote significant time and resources, including technical and economic expertise, to responding to these questions and developing realistic alternatives. And this is only one of the many critical issues raised in the *Further Notice* that will require such effort.

¹⁶ *Further Notice* at ¶¶ 420-40.

¹⁷ *Id.* at ¶ 432 (“In addition to the bandwidth to the service offering, should the rates differ based on the technology, service tier, geographic location, quality of service, or any other factors?”). For example, the record is clear that different providers offer different types and levels of service quality for Ethernet services and that these differences can be significant to business customers. *See, e.g.*, Letter from Melissa Newman, Centurylink, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 05-25 (filed April 8, 2016) at 10. Yet nowhere in the *Further Notice* is there any discussion of how these differences might be reflected in the prices that companies are permitted to charge for these services.

While the expanded scope and complexity of the proceeding are reason enough to grant the additional time requested by NCTA, an additional factor favoring such an extension is the challenge presented by the Commission's reliance on confidential information. The accelerated schedule adopted in the *Further Notice* does not account for the fact that material portions of the item are redacted and even those parties who had signed the protective acknowledgments have been made to wait two weeks to obtain access to the full document.¹⁸ Nor does it account for the fact that parties will have to request and obtain unredacted versions of all the comments before they can begin preparing reply comments. And as further explained below, all of these challenges will be magnified for small companies, who have much to contribute to the record, but limited ability to do so because they have limited resources and are overwhelmed by all the other proceedings in which the Commission is proposing to burden their businesses with substantial new regulation.¹⁹ For all of these reasons, the current pleading cycle is wholly inadequate.

B. Frustration with the Slow Pace of the *Special Access Proceeding* Provides No Basis for a Rush to Judgment on the Myriad Complex Issues Now Raised in the *Further Notice*

Based on past experience, we have no doubt certain parties that have been advocating for rate regulation will assert that time is of the essence because they have been forced to pay unreasonable rates for years and an extension would unreasonably delay their long-awaited

¹⁸ NCTA signed the protective agreements for the rulemaking, but because the Commission combined the *Further Notice* in the rulemaking with an *Order* in its tariff investigation (even though those proceedings previously were deemed separate), the Commission staff would not provide NCTA an unredacted version of the *Further Notice* until we signed additional acknowledgements for the tariff investigation and cleared the public notice process. As a result, NCTA will not have access to the unredacted notice (including the economist's white paper), until at least May 16, 2016, two full weeks after the notice was released on May 2, 2016.

¹⁹ See, e.g., *Protecting the Privacy of Customers of Broadband and Other Telecommunications Services*, WC Docket No. 16-106, Notice of Proposed Rulemaking (rel. April 1, 2016); *Expanding Consumers' Video Navigation Choices*; *Commercial Availability of Navigation Devices*, MB Docket No. 16-42, Notice of Proposed Rulemaking and Memorandum Opinion and Order (rel. Feb. 18, 2016); Amendment of the Commission's Rules Regarding the Emergency Alert System, PS Docket No. 15-94 (rel. Jan. 29, 2016).

relief.²⁰ Such a theory is wrong on at least three counts. First, as noted above, many of the issues on which the Commission seeks comment are far beyond the original scope of this proceeding and are entirely new issues for the Commission and interested parties. To suggest that it is somehow appropriate for the Commission to rush to judgment on a new set of highly complex issues because it has taken the agency such a long time to resolve the narrow set of issues that had been the original focus of the proceeding invariably will lead to unreasoned and arbitrary results. If the proceeding was considered sufficiently complex to warrant eight separate extensions of pleading cycles when the focus was solely on a limited number of heavily regulated price cap LECs,²¹ a single extension of time is even more appropriate now that the scope of the proceeding has been expanded to consider regulating rates charged by hundreds of competitive providers who have never been subject to these rules.

Second, the argument that prompt action is needed to address purported injustices under the current regime presupposes the answer to one of the key questions raised in the *Further Notice*. While it is true that these companies have been complaining about rates and practices for years, the question of whether such rates are reasonable or unreasonable is an issue teed up in the *Further Notice*.²² Specifically, the *Further Notice* makes clear that any new regulation would be

²⁰ See, e.g., Opposition of INCOMPAS and CCA to Request for Extension of Time, WC Docket No. 05-25 (filed Nov. 18, 2015) at 3 (“Of course, it is the incumbent LECs, not the competitive LECs, that have a powerful incentive to delay the resolution of this proceeding since every extra day of delay is one more day of unreasonably high special access service profits for the incumbent LECs. Large buyers of incumbent LEC special access, such as the members of INCOMPAS and CCA, must pay those high prices, and they therefore have every incentive to facilitate the completion of this proceeding as soon as possible.”); Opposition of INCOMPAS and CCA to Request for Extension of Time, WC Docket No. 05-25 (filed Oct. 23, 2015) at 3 (“Each additional month that passes is another month in which American businesses must make do without the benefits of a truly competitive business broadband marketplace. Enough is enough.”).

²¹ See Appendix A.

²² These long-held complaints were solely against the practices of incumbent LECs. It is the Commission’s proposal to expand regulation to other carriers that prompts NCTA’s request and justifies the need for additional time. Moreover, the Commission, in the tariff investigation order, has alleviated many of the most egregious ILEC practices to which parties have long raised objections.

warranted only after the Commission applies its yet-to-be-adopted competitive test and concludes that a specific market is not competitive.²³ Absent a finding that rates charged by a particular carrier for a particular service in a particular non-competitive location are unreasonable, the asserted need for prompt relief from such rates is entirely speculative.

Third, even if it were not speculative, the asserted need for relief that has been improperly denied in the past does not provide a basis for denying other parties a fair process going forward. “Misery loves company” is not a valid regulatory principle and penalizing cable operators by preventing them from having a meaningful role in this proceeding will do nothing to compensate these other parties for any previous delay. Moreover, the requested extension almost certainly will prove inconsequential with respect to the timing of prospective relief, if any is warranted. Any new rules adopted pursuant to the *Further Notice* must be approved by OMB and likely would not take effect until well into 2017.²⁴ Even then such rules almost certainly will require some additional company-specific process to determine whether the rates now in effect exceed the level permitted under any new rules. In short, the *Further Notice* raises issues that are far different and far more complex than those previously under consideration and the Commission should reject any attempt to short-circuit the decision-making process by providing affected parties insufficient time to review and comment on the *Further Notice* and the underlying data collection.

²³ *Further Notice*, para. 355 (“We invite comment on extending price cap regulation to business data services presently subject to Phase II pricing flexibility to the extent an application of the proposed Competitive Market Test determines such services are non-competitive consistent with our proposal below. We believe that we should not take that step – or indeed apply any sort of ex ante pricing regulation – where our analysis shows that the market is competitive. We invite comment on this approach.”).

²⁴ Given the magnitude of new regulatory obligations under consideration, OMB approval is far from certain. For example, in light of the concerns that OMB raised in connection with the Commission’s one-time data collection, it is reasonable to anticipate that turning such a data collection into a recurring event may trigger concerns as well.

II. THE ACCELERATED PLEADING CYCLE ESTABLISHED IN THE FURTHER NOTICE DEPRIVES CABLE OPERATORS, PARTICULARLY SMALL CABLE OPERATORS, OF A MEANINGFUL OPPORTUNITY TO PARTICIPATE

As explained by Commissioner O’Rielly, the *Further Notice* proposes “a radical departure . . . from history and precedent.”²⁵ In particular, after decades in which only dominant carriers, i.e., incumbent LECs, were subject to rate regulation and the rates charged by competitive providers were presumed to be reasonable,²⁶ the *Further Notice* for the first time in any context suggests that rate regulation may somehow be warranted for nondominant carriers as well, including cable operators.

As described above, the possibility of cable operators being directly subject to a rate regulation regime that is tantamount to forced network sharing is a monumental expansion of the scope of the proceeding and an obvious “game changer” in terms of how companies must participate in the proceeding going forward. Until now, cable companies of all sizes have relied largely on their trade associations to monitor the proceeding and convey their policy positions. But now, with the Commission considering which geographic areas will be subject to rate regulation and how such regulation would affect participants in the marketplace, many cable operators may feel the need to participate directly.²⁷

Unfortunately, direct participation in this proceeding is a daunting prospect for any individual company. It is impossible for companies to engage with the data, or even read the entire *Further Notice*, without hiring outside attorneys and/or consultants who can obtain access

²⁵ *Further Notice*, O’Rielly Statement at 2.

²⁶ *Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations*, CC Docket No. 79-252, First Report and Order, 85 FCC 2d 1, 23, ¶ 79 (1980).

²⁷ The Commission also proposes onerous ongoing processes to gather yet more data, reassess the competitiveness of markets, and create mechanisms to challenge determinations that any specific market is competitive or not. Given their past experience with the Commission’s efforts at data collection in this proceeding and the challenge process used in the Connect America Fund context, cable operators likely will want to share their views on these issues as well.

to the confidential data. Moreover, if aspects of the economic analysis are sufficiently arcane that the bureau chief has suggested that he needs help from his chief economist to understand it,²⁸ it is not clear how the companies affected by that analysis are supposed to figure out what it means and prepare an intelligent response without an adequate period of time.

All of these concerns are magnified for small cable operators. Many small cable operators compete with price cap LECs to serve business customers. Because these operators generally serve rural areas that non-cable competitive LECs rarely enter, these companies often represent the first and only competitive option available to businesses in these areas. As a result, under the convoluted analysis proposed in the *Further Notice*, the companies that face the biggest challenges in participating in this proceeding potentially face the greatest risk that their services will be subject to rate regulation. Given the dramatic impact the item will have on small cable operators, the Commission is obligated to give them a meaningful opportunity to participate in the rulemaking process, something that simply is not possible under the current pleading cycle.²⁹

The accelerated pleading cycle also deprives small companies of a meaningful opportunity to comment on the Initial Regulatory Flexibility Act (IRFA) analysis that is attached to the *Further Notice*. The Regulatory Flexibility Act (RFA) requires the Commission to consider alternatives that would ease the regulatory burden on small companies and to prepare an IRFA describing these alternatives.³⁰ The opportunity to comment on the IRFA will be critical in this proceeding because the Commission's description of the burdens in the IRFA is not

²⁸ See FCC Press Conference (Apr. 28, 2016) (Q&A at 129:00 of video), at <https://www.fcc.gov/news-events/events/2016/04/2016-april-open-commission-meeting>.

²⁹ This impact is particularly acute given the fractured nature of the market structure under contemplation, which could result in different regulation in areas as small as census blocks and further differentiation based on bandwidth and type of customer.

³⁰ 5 U.S.C. § 603.

accurate. In particular, the suggestion that the Commission’s proposed competitive test “will offer clearer rules and be administratively less burdensome for providers”³¹ may be true for the handful of smaller companies currently subject to price cap regulation, but it completely misses the mark as to the hundreds of companies that will now be required to take part in this competitive test for the first time. For these companies, the burdens will be direct and substantial and the RFA requires the Commission to consider less burdensome alternatives.

Similarly, while the IRFA acknowledges that “applying heightened regulation to services largely unregulated previously may impose burdens on purchasers and providers,” the only suggestion that is offered for dealing with those significant burdens is a deferred implementation schedule.³² The Commission’s insensitivity to the challenges faced by small cable operators in this *Further Notice* and the accompanying IRFA is stunning. The Commission can start to correct this oversight by providing a more realistic pleading cycle that facilitates participation by small companies rather than discouraging it.

³¹ *Further Notice*, App. D at ¶ 72.

³² *Id.* at ¶ 75.

CONCLUSION

The pleading cycle established in the *Further Notice* will deprive cable operators, particularly small cable operators, of a meaningful opportunity to participate in a rulemaking where they face a unique set of harms. For all the reasons demonstrated above, the Commission should extend the deadline for filing comments by at least 45 days and the deadline for reply comments by at least an additional 30 days.

Respectfully submitted,

/s/ Steven F. Morris

Steven F. Morris
Jennifer K. McKee
National Cable & Telecommunications
Association
25 Massachusetts Avenue, NW – Suite 100
Washington, D.C. 20001-1431

May 13, 2016

Appendix A

**Extension of Time Orders
Issued by the FCC
Nov. 2013 - Present**

1. Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges; Consumer Information and Disclosure; Truth-in-Billing and Billing Format; CG Docket Nos. 11-116, 09-158, 98-170;
 - 14-day extension
 - DA 13-2275, rel. 11/26/13
2. Rates for Interstate Inmate Calling Services; WC Docket No. 12-375;
 - 7-day extension
 - DA 13-2379; rel. 12/12/13
3. Application of the IP Closed Captioning Rules to Video Clips; MB Docket No. 11-154;
 - 7-day extension
 - DA 14-72; rel. 01/22/14
4. Petition of Public Knowledge et al. for Declaratory Ruling Stating that the Sale of Non-Aggregate Call Records by Telecommunications Providers without Customers' Consent Violates Section 222 of the Communications Act; WC Docket No. 13-306;
 - 30-day extension
 - DA 14-103; rel. 01/30/14
5. Revitalization of the AM Radio Service; MB Docket No. 13-249;
 - 30-day extension
 - DA 14-165; rel. 02/07/14
6. Methodology for Predicting Potential Interference Between Broadcast Television and Wireless Services; ET Docket No. 14-14; GN Docket No. 12-268;
 - 17-day extension
 - DA 14-254; rel. 02/26/14
7. Expanding Access to Mobile Wireless Services Onboard Aircraft; WT Docket No. 13-301;
 - 60-day extension
 - DA 14-327; rel. 03/10/14
8. ClearRF Request for Determination of Equivalent Protection; WT Docket No. 10-4;
 - 7-day extension
 - DA 14-366; rel. 03/18/14

9. Network Non-Duplication and Syndicated Exclusivity Rules; MB Docket No. 10-71;
 - 45-day extension
 - DA 14-525; rel. 04/22/14
10. Emergency Alert System Rules to Support Multilingual EAS and Emergency Information; EB Docket No. 04-296;
 - 30-day extension
 - DA 14-552; rel. 04/24/14
11. Wireless E911 Location Accuracy Requirements; PS Docket No. 07-114;
 - 30-day extension
 - DA 14-773; rel. 06/04/14
12. Closed Captioning of Video Programming; CG Docket No. 05-231;
 - 14-day extension
 - DA 14-832; rel. 06/17/14
13. 2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; MB Docket No. 14-50
 - 14-day extension
 - DA 14-926; rel. 06/27/14
14. North American Numbering Council Recommendation of a Vendor to Serve as Local Number Portability Administrator; WC Docket 09-109; CC Docket No. 95-116;
 - 14-day extension
 - DA 14-937; rel. 06/27/14
15. Assessment and Collection of Regulatory Fees for Fiscal Year 2014; MD Docket Nos. 14-92, 13-140, 12-201;
 - 7-day extension
 - DA 14-987; rel. 07/11/14
16. Petition for Expedited Declaratory Ruling Filed by T-Mobile USA, Inc. Regarding Data Roaming Obligations; WT Docket No. 05-265;
 - 9-day extension
 - DA 14-1043; rel. 07/23/14
17. Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band; WT Docket No. 12-354;
 - 14-day extension
 - DA 14-1071; rel. 07/28/14

18. North American Numbering Council Recommendation of a Vendor to Serve as Local Number Portability Administrator; WC Docket 09-109; CC Docket No. 95-116;
 - 28-day extension
 - DA 14-1160; rel. 08/08/14
19. Mediacom Petition for Rulemaking to Amend the Commission's Rules Governing Practices of Video Programming Vendors; RM-11728;
 - 30-day extension
 - DA 14-1167; rel. 08/11/14
20. SSR Communications, Inc.'s Petition for Rulemaking to Amend the Commission's Rules Governing FM Broadcast Service; RM-11727;
 - 30-day extension
 - DA 14-1182; rel. 08/14/14
21. Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals; CG Docket No. 10-210;
 - 14-day extension
 - DA 14-1211; rel. 08/20/14
22. AT&T From Plateau Wireless of Advanced Wireless Services, Cellular, Lower 700 MHz, and Microwave Licenses, and International Section 214 Authorizations; WT Docket No. 14-144;
 - 7-day extension
 - DA 14-1441; rel. 10/02/14
23. Applications of Comcast Corporation, Time Warner Cable Inc., Charter Communications, Inc., Time Warner Entertainment-Advance/Newhouse Partnership, and SpinCo for Consent to Assign Licenses or Transfer Control of Licensees; MB Docket No. 14-57;
 - 21-day extension
 - DA 14-1446; rel. 10/03/14
24. Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37; ET Docket No. 14-165;
 - 30-day extension
 - DA 14-1801; rel. 10/12/14
25. Draft TV Broadcaster Relocation Fund Reimbursement Form; GN Docket No. 12-268;
 - 30-day extension
 - DA 14-1514; rel. 10/20/14

26. Comprehensive Review of Licensing and Operating Rules for Satellite Services; IB Docket No. 12-267;
 - 45-day extension
 - DA 14-1697; rel. 11/24/14
27. Use of Spectrum Bands Above 24 GHz for Mobile Radio Services; GN Docket No. 14-177;
 - 30-day extension
 - DA 14-1703; rel. 11/25/14
28. Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; MB Docket No. 03-185, GN Docket No. 12-268; ET Docket No. 14-175;
 - 14-day extension
 - DA 14-1727; rel. 12/01/14
29. Wireless E911 Location Accuracy Requirements; PS Docket No. 07-114;
 - 5-day extension
 - DA 14-1794; rel. 12/09/14
30. Amendment of Part 15 of the Communication's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37; ET Docket No. 14-165. GN Docket Nos. 14-166, 12-238;
 - 30-day extension
 - DA 14-1801; rel. 12/10/14
31. Rates for Interstate Inmate Calling Services; WC Docket No. 12-375;
 - 7-day extension
 - DA 14-1848; rel. 12/17/14
32. Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991; CG Docket No. 02-278;
 - 28-day extension
 - DA 14-1850; rel. 12/17/14
33. Ensuring Customer Premises Equipment Backup Power for Continuity of Communications; PS Docket No. 14-174;
 - 15-day extension
 - DA 14-1903; rel. 12/30/14
34. Fourth Annual Report to Congress on Status of Competition in the Satellite Services Industry; IB Docket No. 14-229;
 - 30-day extension
 - DA 14-1906; rel. 12/30/14

35. Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; GN Docket No. 12-268, AU Docket No. 14-252;
 - 14-day extension
 - DA 15-24; rel. 01/07/15
36. Request for Updated Information and Comment on Wireless Hearing Aid Compatibility Regulations; WT Docket Nos. 10-254, 07-250;
 - 14-day extension
 - DA 15-46; rel. 01/12/15
37. Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations;
 - 7-day extension
 - DA 15-79; rel. 01/21/15
38. Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services; MB Docket No. 14-261;
 - 14-day extension
 - DA 15-190; rel. 02/10/15
39. 911 Governance and Accountability, Improving 911 Reliability; PS Docket Nos. 14-193, 13-75;
 - 14-day extension
 - DA 15-299; rel. 03/06/15
40. Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services; MB Docket No. 14-261;
 - 14-day extension
 - DA 15-314; rel. 03/11/15
41. Lifeline and Link Up Reform and Modernization; WC Docket No. 11-42;
 - 14-day extension
 - DA 15-885; rel. 08/05/15
42. Amendment of Parts 0, 1, 2, 15, and 18 of the Commission's Rules Regarding Authorization of Radiofrequency Equipment; ET Docket No. 15-170, RM-11673;
 - 30-day extension
 - DA 15-956; rel. 08/25/15
43. Implementation of Section 103 of the STELA Reauthorization Act of 2014; MB Docket No. 15-216;
 - 14-day extension
 - DA 15-1235; rel. 10/30/15

44. Special Access for Price Cap Local Exchange Carriers; WC Docket No. 05-25, RM-10593;
 - 45-day extension
 - DA 15-1239; rel. 11/02/15
45. Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band; GN Docket No. 12-354;
 - 18-day extension
 - DA 15-1398; rel. 12/09/15
46. Special Access for Price Cap Local Exchange Carriers; WC Docket No. 05-25, RM-10593;
 - 14-day extension
 - DA 15-1473; rel. 12/21/15
47. Improvement to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets; WT Docket No. 15-285;
 - 14-day extension
 - DA 16-26; rel. 01/11/16
48. Rates for Interstate Inmate Calling Services; WC Docket No. 12-375;
 - 7-day extension
 - DA 16-107; rel. 01/29/16
49. Use of Spectrum Bands Above 24 GHz for Mobile Radio Services; GN Docket No. 14-177, IB Docket Nos. 15-256, 97-95, WT Docket No. 10-112; RM-11664;
 - 3-day extension
 - DA 16-162; rel. 02/17/16
50. Expanding Consumers' Video Navigation Choices and Commercial Availability of Navigation Devices; MB Docket No. 16-42, CS Docket No. 97-80;
 - 7-day extension
 - DA 16-289; rel. 03/17/16
51. Sandwich Isles Communications Petition for Declaratory Ruling; WC Docket No. 09-133;
 - 10-day extension
 - DA 16-417; rel. 04/15/16
52. Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System; PS Docket Nos. 15-94, 15-91;
 - 30-day extension
 - DA 16-482; rel. 05/05/16

The following extensions were initiated by the FCC:

1. Special Access for Price Cap Local Exchange Carriers; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 45-day extension
 - DA 14-1706; rel. 11/26/14
2. Updating Part 1 Competitive Bidding Rules; WT Docket No. 14-170, GN Docket No. 12-268, RM-11395; WT Docket No. 05-211;
 - FCC-initiated 25-day extension
 - DA 14-1784; rel. 12/08/14
3. Special Access Proceeding; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 7-month extension
 - DA 14-302; rel. 03/05/14
4. Accessibility of Communications Technologies for the 2014 Biennial Report Required By the Twenty-First Century Communications and Video Accessibility Act;
 - 12-day extension
 - DA 14-847; rel. 06/19/14
5. Protecting and Promoting the Open Internet; GN Docket No. 14-28;
 - FCC-initiated 3-day extension
 - DA 14-1199; rel. 08/15/14
6. Special Access Proceeding; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 6-month extension
 - DA 14-1328; rel. 09/15/14
7. AT&T Inc. and Kaplan Telephone Company, Inc. Seek FCC Consent to the Assignment of Cellular and Lower 700 MHz Licenses; WT Docket No. 14-167;
 - FCC-initiated 28-day extension
 - DA 14-1565; rel. 10/29/14
8. RECCO AB Request for Waiver of Location and Monitoring Service Rules to Permit Certification and Use of an Avalanche Rescue System, Emergency Radio Service, Inc., Request for Wavier to Operate on Frequencies Designated for Central Station Protection Service, 14-182, WT Docket No. 14-176;
 - FCC-initiated 24-day extension
 - DA 14-1636; rel. 11/12/14

9. Neustar Inc.'s Petition for Declaratory Ruling; WC Docket No. 09-109, CC Docket No. 95-116;
 - FCC-initiated 5-day extension
 - DA 14-1710; rel. 11/25/14
10. Updating Part I Competitive Bidding Rules; WT Docket No. 14-170, GN Docket No. 12-268, RM-11395, WT Docket No. 05-211;
 - FCC-initiated 28-day extension
 - DA 15-142; rel. 01/30/15
11. Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; GN Docket No. 12-268, AU Docket No. 14-252;
 - FCC-initiated 21-day extension
 - DA 15-143; rel. 01/30/15
12. Special Access Proceeding; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 90-day extension
 - DA 15-382; rel. 03/27/15
13. Special Access Proceeding; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 85-day extension
 - DA 15-737; rel. 06/24/15
14. Inquiry Concerning the Deployment of Advanced Telecommunications Capability to all Americans in a Reasonable and Timely Fashion, and Possible steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act; GN Docket No. 15-191;
 - FCC-initiated 7-day extension
 - DA 15-923; rel. 08/13/15
15. Special Access Proceeding; WC Docket No. 05-25, RM-10593;
 - FCC-initiated 25-day extension
 - DA 15-1037; rel. 09/17/15

**Extension of Time Orders
DENIED by the FCC
Nov. 2013 - Present**

1. Protecting the Privacy of Customer of Broadband and Other Telecommunications Services; WC Docket No. 16-106; DA 16-473 rel. 04/29/16
2. Final Report of the Downloadable Security Technology Advisory Committee; MB Docket No. 15-64; DA 15-1249 rel. 11/04/15
3. Lifeline and Link Up Reform and Modernization; WC Docket Nos. 11-42, 09-197, 10-90; DA 15-1068 rel. 09/23/15
4. Connect America Fund; WC Docket Nos. 10-90, 14-58, 07-135, WT Docket No. 10-208, CC Docket No. 01-92; DA 14-1276 rel. 09/03/14
5. Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act; GN Docket No. 14-126; DA 14-1258 rel. 08/29/14
6. Applications of AT&T Inc. and DIRECTV For Consent To Assign or Transfer control of Licenses and Authorizations; MB Docket No. 14-90; DA 14-1253 rel. 08/28/14
7. Petition of the City of Wilson, North Carolina, Pursuant to Section 706 of the Telecommunications Act of 1996, for Removal of Barriers to Broadband Investment and Competition; WC Docket Nos. 14-115, 14-116; DA 14-1246 rel. 08/27/14
8. Applications of Comcast Corp., Time Warner Cable Inc., Charter Communications, Inc., and SpinCo For Consent to Assign or Transfer Control of Licenses and Authorizations; MB Docket No. 14-57; DA 14-1226
9. Protecting and Promoting the Open Internet; GN Docket No. 14-28; DA 14-988 rel. 07/10/14