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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JUN 14 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:)
)
)
Petition of Mpower Communications Corp. for)
Establishment of New Flexible Contract)
Mechanism Not Subject to "Pick and Choose")

CC Docket No. 01- 117

MOTION FOR EXTENSION OF TIME

On May 25, 2001, Mpower Communications Corp. ("Mpower") filed the above-captioned Petition requesting that the Commission establish a new flexible contract mechanism which Mpower referred to as "FLEX contracts."¹ Mpower requested that the Commission forbear from application of the "pick and choose" requirements of section 252(i) of the Act and of the state approval requirements of 252(e) to FLEX contracts. Mpower also requested that the Commission initiate a rulemaking to establish a federal program to oversee notification, opt-in, and enforcement of FLEX contracts. Mpower explained that FLEX contracts would encourage ILECs and CLECs to negotiate wholesale "package deals" involving a broad range of business interests but especially provisioning, quality of service, and volume and term discounts.

The Mpower Petition raises important and complex issues of first impression. Consequently, initial comments will present numerous difficult factual, legal, and policy issues concerning Mpower's request. However, the 15 day period for reply comments

¹ *Pleading Cycle Established for Comments on Mpower Petition for Forbearance and Rulemaking, Public Notice, CC Docket No. 01-117, DA 01-1348 (June 4, 2001). Comments and reply comments are currently due July 3, 2001 and July 18, 2001, respectively.*

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will not afford Mpower an adequate opportunity to analyze and respond to initial comments. This is particularly the case in light of the intervening July 4th Holiday.

A brief extension of time for filing reply comments will help assure that the Commission has a complete record on which to base a decision. At the same time, the brief requested extension will not harm any party or unduly delay the resolution of this proceeding.

Accordingly, Mpower requests that the Commission extend the time for filing reply comments in this proceeding until August 3, 2001.

Respectfully submitted,

MPOWER COMMUNICATIONS CORP.

By Francis D. R. Coleman RD

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion For Extension Of Time has been served by hand delivery to the persons on the listed below on this 14th day of June, 2001.


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