DOCKET FILE COPY ORIGINAL
RECEIVED
DEC 21 2001
FCC MAIL ROOM
FCC MAIL SECTION
DEC 21 10 07 AM '01

Before the

Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Performance Measurements and Standards for Interstate Special Access Services	)	CC Docket No. 01-321
	)	
Petition of U S West, Inc., for a Declaratory Ruling Preempting State Commission Proceedings to Regulate U S West's Provision of Federally Tariffed Interstate Services	)	CC Docket No. 00-51
	)	
Petition of Association for Local Telecommunications Services for Declaratory Ruling	)	CC Docket Nos. 98-147, 96-98, 98-141
	)	
Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended	)	CC Docket No. 96-149
	)	
2000 Biennial Regulatory Review – Telecommunications Service Quality Reporting Requirements	)	CC Docket No. 00-229
	)	
AT&T Corp. Petition to Establish Performance Standards, Reporting Requirements, and Self-Executing Remedies Need to Ensure Compliance by ILECs with Their Statutory Obligations Regarding Special Access Services	)	RM 10329

Order

Adopted: December 14, 2001 **Released: December 17, 2001**

By the Chief, Policy and Program Planning Division:

1. On November 19, 2001, the Commission released a Notice of Proposed Rulemaking establishing the pleading cycle for comments and reply comments in the above-captioned docket.[1] The Notice established the deadline for comments at 30 days after the Notice was published in the Federal Register, and the deadline for reply comments at 51 days after

[1] *Performance Measurements and Standards for Interstate Special Access Services, et al.*, Notice of Proposed Rulemaking, CC Docket No. 01-321, FCC 01-339 (rel. Nov. 19, 2001) (*Special Access Measurements and Standards Notice*).

publication in the Federal Register. Federal Register publication occurred on December 10, 2001, which caused the due dates for comment and reply comments to fall on January 9, 2002 and January 30, 2002, respectively.[2]

2. Also on November 19, 2001, the Commission released the *UNE Measurements and Standards Notice*, a closely-related Notice of Proposed Rulemaking.[3] On December 7, 2001, the Common Carrier Bureau granted a Motion for Extension of Time filed by the United States Telecom Association (USTA) to extend the date for comments and reply comments to the *UNE Measurements and Standards Notice*.[4] USTA argued that the original comment schedule, which fell within the upcoming holiday season, would not provide USTA's members an adequate opportunity to consider the issues raised in this proceeding, and that an extension would not prejudice the interests of other parties.[5] BellSouth Corporation (BellSouth) and Competitive Telecommunications Association (CompTel) filed comments in support of the USTA Motion, contending that a modest extension of the comment period would permit interested parties to provide more substantive and complete comments on the complex issues raised in the *UNE Measurements and Standards Notice*.[6] On December 7, 2001, the Bureau released an order extending the comment and reply comment dates for the *UNE Measurements and Standards Notice* to January 22, 2002 and February 12, 2002, respectively.[7]

3. It is the policy of the Commission that extensions of time are not routinely granted.[8] In this instance, however, we find that the issues presented in the *Special Access Measurements and Standards Notice* are similar both in complexity and in number to the issues in the *UNE Measurements and Standards Notice*. Thus, the Commission's desire to obtain a complete record with input from both carriers and state public utility commissions on the *Special Access Measurements and Standards Notice* would likely also be served by a brief extension of time. Further, because of the conceptual overlap between the two notices, parties may use the comment period most efficiently, and with minimum possibility of administrative confusion, if the comment cycles of both notices are brought into alignment. For these reasons, we extend the due dates for both comments and reply comments to the *Special Access Measurements and*

---

2 *Performance Measurements and Standards for Interstate Special Access Services*, FCC 01-339, CC Docket No. 01-321, 66 FR 63651 (12/10/01).

3 *Performance Measurements and Standards for Unbundled Network Elements and Interconnection, et al.*, Notice of Proposed Rulemaking, CC Docket No. 01-318, FCC 01-331 (rel. Nov. 19, 2001) (*UNE Measurements and Standards Notice*).

4 United States Telecom Association, Motion for Extension of Time, CC Docket No. 01-318 (filed Dec. 3, 2001) (USTA Motion).

5 USTA Motion at 2.

6 BellSouth Corporation Comments, CC Docket No. 01-318 (filed Dec. 4, 2001); Competitive Telecommunications Association Comments in Support of the Motion for Extension of Time Filed by the United States Telecom Association, CC Docket No. 318 (filed Dec. 5, 2001).

7 *Performance Measurements and Standards for Unbundled Network Elements and Interconnection, et al.*, Order, CC Docket No. 01-318, DA 01-2859 (rel. Dec. 10, 2001).

8 47 CFR § 1.46(a).

Standards Notice by 13 days, so that comments in this proceeding are now due by January 22, 2002, and reply comments are due by February 12, 2002.

4. Accordingly, IT IS ORDERED that, pursuant to authority found in section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 CFR §§ 0.91, 0.291, 1.46, the deadline for in this proceeding shall be January 22, 2002 and the deadline for reply comments shall be February 12, 2002.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief, Policy and Program Planning Division
Common Carrier Bureau