

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

JAN 21 2003

In the Matter of	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
1998 Biennial Regulatory Review –	)	CC Docket No. 98-171
Streamlined Contributor Reporting	)	
Requirements Associated with Administration	)	
of Telecommunications Relay Service, North	)	
American Numbering Plan, Local Number	)	
Portability, and Universal Service Support	)	
Mechanisms	)	
	)	
Telecommunications Services for Individuals	)	CC Docket No. 90-571
with Hearing and Speech Disabilities, and the	)	
Americans with Disabilities Act of 1990	)	
	)	
Administration of the North American	)	CC Docket No. 92-237
Numbering Plan and North American	)	NSD File No. L-00-72
Numbering Plan Cost Recovery Contribution	)	
Factor and Fund Size	)	
	)	
Number Resource Optimization	)	CC Docket No. 99-200
	)	
Telephone Number Portability	)	CC Docket No. 95-116 ✓
	)	
Truth-in-Billing and Billing Format	)	CC Docket No. 98-170

**ORDER**

**Adopted: January 24, 2003**

**Released: January 24, 2003**

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

Revised Filing Dates:

**Comments Due: February 28, 2003**

**Reply Comments Due: April 18, 2003**

1. On December 12, 2002, the Commission adopted a Report and Order and Second Further Notice of Proposed Rulemaking (*Second Further Notice*) seeking comment on further refinements to the revenue-based methodology for assessing and recovering contributions to the federal universal service mechanisms and on specific aspects of three proposals in the record to

assess contributions based on the number and capacity of providers' end-user connections to interstate networks.<sup>1</sup> The *Second Further Notice* stated that interested parties could file comments 30 days after Federal Register publication of the *Second Further Notice* and reply comments 60 days after such publication. Thirty days after Federal Register publication of the *Second Further Notice* is January 29, 2003, and 60 days after Federal Register publication is February 28, 2003.<sup>2</sup> On January 22, 2003, the Consumers Union, Texas Office of Public Utility Counsel, Consumer Federation of America, Appalachian People's Action Coalition, Center for Digital Democracy, Edgemont Neighborhood Coalition and Migrant Legal Action Program (Consumers Union *et al.*), by their attorneys, the Institute for Public Representation, filed a motion to extend the deadlines for filing comments and reply comments in this proceeding to February 28, 2003, and April 18, 2003, respectively.<sup>3</sup> The extension of time also is supported by other parties in this proceeding.<sup>4</sup>

2. We hereby grant Consumers Union *et al.*'s request for extension of time to file comments and reply comments. It is the policy of the Commission that extensions of time are not routinely granted.<sup>5</sup> We find, however, that there is good cause to extend the due dates for filing comments and reply comments to the *Second Further Notice*. Specifically, Consumers Union *et al.* seek additional time so that they may consider and evaluate the proposals in the record and develop alternative proposals.<sup>6</sup> Meaningful participation of Consumers Union *et al.* in the universal service contribution methodology proceeding is important because their group is one of only a few parties representing the interests of low-income and low-volume consumers in this docket. In the *Second Further Notice*, the Commission specifically requested comment on

<sup>1</sup> See *Federal-State Joint Board on Universal Service, 1998 Biennial Regulatory Review – Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms, Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990, Administration of the North American Numbering Plan and North American Numbering Plan Cost Recovery Contribution Factor and Fund Size, Number Resource Optimization, Telephone Number Portability, Truth-in-Billing and Billing Format*, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170, Report and Order and Second Further Notice of Proposed Rulemaking, FCC 02-329 (2002) (*Contribution Methodology Order and Second Further Notice*).

<sup>2</sup> 67 Fed Reg. 79543 (Dec. 30, 2002).

<sup>3</sup> See Consumers Union, Texas Office of Public Utility Counsel, Consumer Federation of America, Appalachian People's Action Coalition, Center for Digital Democracy, Edgemont Neighborhood Coalition and Migrant Legal Action Program, Motion for Extension of Time, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170, filed Jan. 22, 2003 (*Consumers Union et al. Motion*).

<sup>4</sup> See, e.g., Ad Hoc Telecommunications Users Committee, AT&T Corp., e-commerce & Telecommunications Group, Level 3 Communications, LLC, and WorldCom, Inc., Motion for Extension of Time, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170, filed Jan. 17, 2003, BellSouth, Motion for Extension of Time, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170, filed Jan. 23, 2002.

<sup>5</sup> 47 C.F.R. § 1.46(a).

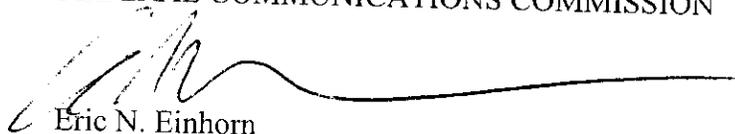
<sup>6</sup> See *Consumers Union et al. Motion* at 2. The Institute for Public Representation, a public interest law firm with limited staff, states that it currently is dedicating a large portion of its time and resources to preparing reply comments in the Commission's media ownership proceeding, which are due on February 3, 2003, only five calendar days after the due date for filing comments in this proceeding. See *2002 Biennial Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MM Docket No. 02-277, Notice of Proposed Rulemaking (rel. Sep. 23, 2002).

the impact of the proposed contribution methodologies on different user groups.<sup>7</sup> An extension also will provide parties with additional time to report on the impact of interim measures adopted in the *Contribution Methodology Order and Second Further Notice*.<sup>8</sup>

3. Accordingly, we grant Consumers Union *et al.*'s request. Parties may file comments by **February 28, 2003** and reply comments by **April 18, 2003**. This matter shall continue to be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>9</sup> All other requirements discussed in the *Second Further Notice* remain in effect. For further information, please contact Sheryl Todd, Wireline Competition Bureau, Telecommunications Access Policy Division, 202-418-7400.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 155(c), and sections 0.91, 0.291, 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the request for extension of time filed by Consumers Union, Texas Office of Public Utility Counsel, Consumer Federation of America, Appalachian People's Action Coalition, Center for Digital Democracy, Edgemont Neighborhood Coalition, and Migrant Legal Action Program IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION



Eric N. Einhorn  
Acting Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

<sup>7</sup> See, e.g., *Contribution Methodology Order and Second Further Notice*, at para. 73.

<sup>8</sup> See *Contribution Methodology Order and Second Further Notice*, at paras. 12-32.

<sup>9</sup> 47 C.F.R. § 1.1206.