

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

In the Matter of)
)
Implementation of the)
Pay Telephone Reclassification and) CC Docket No. 96-128
Compensation Provisions of the)
Telecommunications Act of 1996)

MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46(c) of the Commission's Rules, Pioneer Long Distance, Inc. ("PLD") hereby requests an extension of time, until October 1, 2004, to file a System Audit Report and Annual Audit as set forth in 47 C.F.R. §§64.1320(b) and 1320(f), and established in its October 3, 2003 Report and Order, ("Payphone Order").¹ PLD is a switch based reseller offering long distance services to its customers residing in the State of Oklahoma. In support of its Motion, PLD alleges and states as follows:

As set forth in the attached letter filed with the FCC on July 1, 2004, PLD diligently and in good faith prepared for the July 1, 2004 implementation date of the requirements of the Payphone Order, and is currently tracking all dial-around calls made and completed from payphone service providers' ("PSP") payphones utilizing PLD's platform. PLD requested an extension of time to file its System Audit Report due to the fact that a final solution for identifying the PSP associated with the FLEX ANI PLD is tracking had not yet been attained.

¹ The Office of Management and Budget approved the Commission's Order on May 5, 2004 which set the July 1, 2004 reporting deadline. See *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Report and Order, FCC 03-235, CC Docket No. 96-128 (rel. October 3, 2003), ("Payphone Order").

Since July 1, 2004, PLD has continued to cooperate with the PSPs and payphone clearinghouses to establish the criteria for identifying the PSPs for which PLD will owe compensation. PLD, and its auditor, Sartain Fischbein & Company, are also working diligently to complete the Systems Audit Report.

PLD further states that since the filing of its letter requesting an extension of time to file its Systems Audit Report on July 1, 2004, they have been in the process of changing their underlying carrier for long distance services. At the end of July, Pioneer's new underlying interexchange carrier will be Sprint Communications Company, L.P. ("Sprint"). Pursuant to the *Public Notice* issued in CC Docket No. 96-128, DA 04-2001 on June 30, 2004, PLD has entered into an agreement with Sprint to track and pay for dial-around payphone calls on its behalf. Therefore, PLD will only be responsible for tracking and payment of calls for July 2004, and for submission of an audit for this time period. PLD's Auditor plans to file a combination Systems Audit Report and Annual Audit Report for this time period. Wherefore, PLD requests that it be granted an extension of time until October 1, 2004 to file its Reports pursuant to 47 C.F.R. §§64.1320(b) and 1320(f).

To the extent necessary, PLD requests of waiver of the late filing penalty set forth in the Payphone Order.² PLD states that the late filing of the Systems Audit Report combined with its Annual Audit will reassure the PSPs, and each facility based long distance carrier from which it receives calls, that PLD's tracking and reporting system is accurate. PLD further states that no affected entity will be harmed by granting the extension because the audit information will be filed prior to the January 1, 2005 deadline for transmission of dial-around information for the 3rd quarter of 2004.

² *Payphone Order* at ¶ 44.

PLD has made a good faith effort to comply with the provisions of the Payphone Order and the Commission's rules. Coupled with PLD's change in underlying interexchange carriers to Sprint, and their agreement to track and pay for dial-around payphone calls on PLD's behalf, resulting in PLD's Auditor filing the Systems Audit Report combined with its Annual Audit for July, 2004, PLD contends there is good cause to grant an extension to file the Report and Audit. Wherefore, PLD respectfully requests the Commission grant PLD an extension until October 1, 2004 to file the combined Systems Audit Report and Annual Audit, and waiver of any late filing penalties.

Respectfully submitted,

PIONEER LONG DISTANCE, INC.

By: 
MARY KATHRYN KUNC, OBA #15907
RON COMINGDEER, OBA #1835
KENDALL W. PARRISH, OBA #15039
COMINGDEER, LEE & GOOCH
6011 N. Robinson
Oklahoma City, OK 73118
(405) 848-5534
(405) 843-5688 (fax)

cc: Darryl Cooper
Qwest Communications Corporation
APCC Services
National Payphone Clearinghouse
Sprint Communications Company, L.P.

July 30, 2004

COMINGDEER, LEE & GOOCH

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
6011 NORTH ROBINSON AVENUE
OKLAHOMA CITY, OKLAHOMA 73118-7425

Telephone: (405) 848-5534

Facsimile: (405) 843-5688

FCC DATE-STAMPED
COPY FOR YOUR RECORDS

Stamp and Return

RON COMINGDEER
DAVID W. LEE
AMBRE C. GOOCH
MARY KATHRYN KUNC
KENDALL W. PARRISH

OF COUNSEL:
O. RANDALL SPINDLE

July 1, 2004

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
Portals II
445 12th Street, S.W.
Suite TW-A325
Washington, DC 20554

Re: Report and Order Issued in CC Docket No. 96-128; Released October 3, 2003

Dear Ms. Dortch:

Our client, Pioneer Long Distance, Inc., is a switched-based reseller of long distance services in the State of Oklahoma, subject to the provisions of the Federal Communications Commission's ("FCC") reporting obligations to payphone service providers as set forth in the FCC's Report and Order issued in CC Docket No. 96-128¹ ("Payphone Order"). Pursuant to the Order, and as set forth in 47 C.F.R. §64.1320(a), Pioneer Long Distance is to file with the FCC a System Audit Report attesting that Pioneer Long Distance's payphone call tracking and payment system meets the FCC's requirements as set forth in the Payphone Order and 47 C.F.R. §64.1320(c)(d)and (e).

Pioneer Long Distance has been diligently preparing for the July 1, 2004 implementation date of the requirements of the Payphone Order, and to date is tracking all dial-around calls made and completed from payphone service providers' ("PSP") payphones utilizing Pioneer Long Distance's platform. Pioneer Long Distance is compiling this data and will transmit this information by the January 1, 2005 deadline for the 3rd quarter of 2004. Pioneer Long Distance's employees have held numerous meetings and conference calls in the past few months to implement internal policies and procedures for compliance with the Payphone Order. Notwithstanding Pioneer Long Distance's diligent efforts to comply with the terms of the Payphone Order, it is requesting an additional sixty (60) days in order to file the initial System Auditor's Report with the FCC. Pioneer Long Distance has been in contact with the payphone clearinghouses, such as APCC, and representatives for the PSPs to devise a method to identify

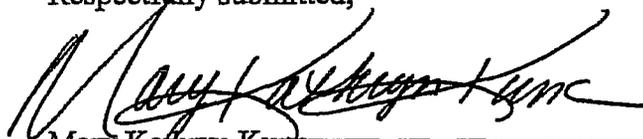
¹ *In the Matter of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*; CC Docket No. 96-128, Released October 3, 2003.

the PSP associated with the FLEX ANI they are tracking, and a final solution has not yet been attained. The criteria to determine the identities of the PSPs to which Pioneer Long Distance owes compensation appears to be an industry-wide problem that all affected carriers are faced with. Pioneer Long Distance believes that with the cooperation of the payphone clearinghouses and PSPs, a method to properly identify the PSP with the ANI can be attained in the short term. As such, Pioneer Long Distance cannot yet complete and file its System Auditor's Report with the FCC because the auditor must include Pioneer Long Distance's criteria for determining the identity of the PSPs associated with the ANI.

For the reasons set forth herein, Pioneer Long Distance respectfully requests the FCC allow it an additional sixty (60) days to file its System Auditor's Report.

Should you have any questions concerning this matter please do not hesitate to contact the undersigned.

Respectfully submitted,



Mary Kathryn Kunc
For the Firm

MKK/nh

cc: Qwest Communications Corporation
APCC Services
National Payphone Clearinghouse
Sprint Communications Company, L.P.