

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

)	
In the Matter 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 of the Commission’s rules, 47 C.F.R. § 1.46, Telco Group, Inc. (“Telco Group”) respectfully requests a second extension of time^{1/} to file its System Audit Report as required by Section 64.1320(b) of the Commission’s rules and the *Order* issued by the Commission in the above-referenced docket.^{2/} Specifically, Telco Group seeks an additional 90-day extension until January 1, 2005 to file its System Audit Report.^{3/}

Pursuant to the Commission’s rules, Telco Group is required to implement a call tracking system for payphone-originated calls, complete an audit of its call tracking system, and file a System Audit Report with the Commission by July 1, 2004.^{4/} Telco Group completed the changes to its systems to implement the call tracking system by July 1, 2004 as required by the

^{1/} On July 20, 2004, Telco Group filed a motion for a 90-day extension of time of the reporting deadline to October 1, 2004.

^{2/} 47 C.F.R. § 64.1320(b); *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Report and Order, 18 FCC Rcd 19975 (2003) (“*Order*”).

^{3/} Telco Group respectfully requests that the Commission accept this Motion for filing in the above-referenced docket. No party will be prejudiced by permitting this Motion to be filed.

^{4/} 47 C.F.R. §§ 64.1300(a), 1310, 1320.

Commission's rules.^{5/} Telco Group, however, requires additional time to complete the audit of its call tracking system. As detailed in the attached letter,^{6/} Telco Group has engaged an outside auditor to complete the documentation and testing, analyze the results, and prepare a final report as required under the Commission's rules. Due to unforeseen circumstances, the auditor will be unable to complete its assessment and report by the October 1, 2004 deadline previously requested by Telco Group. Accordingly, Telco Group requests an additional 90-day extension to ensure the auditor has adequate time to complete its tasks and present reliable and comprehensive information to the Commission.

To the extent necessary, Telco Group requests a waiver of the late filing penalty set out in the *Order*.^{7/} Telco Group submits that no one will be harmed by the late-filed System Audit Report. Telco Group has the required call tracking system in place and will make the necessary calculations and payments to ensure that payphone service providers are properly compensated.

Telco Group has attempted in good faith to meet the previously requested October 1, 2004 deadline for filing the System Audit Report; however, for the reasons described herein, Telco Group requires additional time. Accordingly, Telco Group hereby respectfully requests an additional 90-day extension until January 1, 2005 to submit the System Audit Report to the Commission, to each payphone service provider for which it completes calls, and to each

^{5/} 47 C.F.R. § 64.1310(a).

^{6/} Letter from John E. Wright, Partner, Padgett, Stratemann & Co., L.L.P., to Richard Rebetti, Telco Group, Inc. (Sept. 28, 2004) (Attachment 1).

^{7/} *Order* ¶ 44.

facilities-based long distance carrier from which it receives payphone calls. In addition, for the same reasons, Telco Group respectfully requests a waiver of any late filing penalty.

Respectfully submitted,

TELCO GROUP, INC.



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Its Attorneys

Dated: October 1, 2004

Attachment 1



PADGETT, STRATEMANN & CO., L.L.P.

Certified Public Accountants and Business Advisors

September 28, 2004

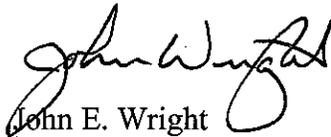
Mr. Richard Rebetti
Chief Operating Officer
Telco Group, Inc.
30-50 Whitestone Expressway
Flushing, New York 11354

Dear Mr. Rebetti:

This letter confirms our arrangement to examine management's assertion that Telco Group, Inc. ("Telco") is in compliance with Section 64.131(a) (1) of the Federal Communications Commission ("FCC") Report and Order in CC Docket No. 96-128, adopted September 30, 2003 (the "Order"), in accordance with attestation standards established by the American Institute of Certified Public Accountants.

We appreciate the opportunity to provide professional services to Telco and look forward to working with your team.

Sincerely,


John E. Wright
Partner

JEW:mlu