

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 205444**

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

SUPPLEMENT TO MOTION FOR EXTENSION OF TIME

Pac-West Telecomm, Inc. ("Pac-West"), through its undersigned counsel and pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, hereby requests an additional extension of time to file a Systems Audit Report as required by Section 64.1320(f) of the Commission's rules and the Report and Order released in *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, FCC 03-325, CC Docket No. 96-128 (rel. October 3, 2003) ("*Report and Order*"). On June 22, 2006, Pac-West requested a 90-day extension, until October 1, 2006, of the July 1, 2006 reporting deadline.¹ As explained in its Motion, Pac-West engaged a new auditor to perform the 2006 verification required under Commission rule 64.1320(f). The auditor requires additional time to finalize the verification and, therefore, Pac-West requests an extension until November 1, 2006.

There is good cause to grant an extension of time. Currently, Pac-West has an audited call tracking system in place and has been making compensation payments to PSPs and submitting the required call reports to PSPs on a quarterly basis. No PSP will be harmed by the

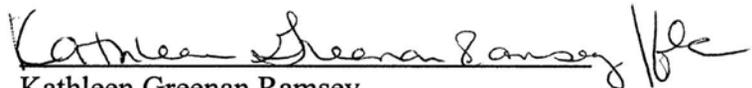
¹ The Office of Management and Budget approved the Commission's Order on May 5, 2004, which set the July 1, 2004 reporting deadline. See OMB No. 3060-1046 and *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Report and Order, FCC 03-235, CC Docket No. 96-128 (rel. October 3, 2003). Subsequent annual reporting deadlines are triggered by this July 1, 2004 date.

delay in Pac-West's submission of its annual System Audit Report. Pac-West already has an audited payphone tracking system in place.

To the extent necessary, Pac-West requests a waiver of any late filing penalty set out in the October Order.² Pac-West submits that no one will be harmed by the late-filed Systems Audit Report. As explained above, Pac-West already operates an audited call tracking and payment system that ensures that PSPs are properly compensated. In fact, Pac-West has been making payments and submitting reports to PSPs in accordance with the Commission's rules. Thus, the Commission should waive any penalty.

Pac-West has attempted in good faith to meet the verification deadline; however, for the reasons described herein, Pac-West requires additional time. Accordingly, Pac-West hereby respectfully requests an additional 30-days to submit the System Audit Report to the Commission.

Respectfully submitted,



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Dated: September 22, 2006

² The Commission stated that "the current base penalty for failure to file required forms or information with the Commission is \$3,000." FCC 03-235 at ¶ 44.