

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

In the Matter of:)	
)	
Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996)	CC Docket No. 96-128
)	
Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues In Pending Rulemaking)	
)	
)	
)	
)	

MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission’s rules,¹ petitioners Martha Wright, *et al.* (“Petitioners”) request a one-week extension of time in which to file a reply to the comments opposing the relief sought in Petitioners’ Alternative Rulemaking Proposal (“Proposal”).² An additional one-week extension will not prejudice any interested party and will aid in the development of a more complete record upon which to resolve the issues raised by the opposing comments (“Oppositions”).

The Commission’s *Public Notice* originally invited interested parties to file comments on the Proposal on April 2 and reply comments on April 17, 2007.³ The Commission subsequently

¹ 47 C.F.R. 1.46.

² FCC Public Notice, *Comment Sought on Alternative Rulemaking Proposal Regarding Issues Related to Inmate Calling Services*, CC Docket No. 96-128, DA 07-961 (WCB Mar. 2, 2007) (“*Public Notice*”).

³ *Id.*

granted a motion filed by other parties for an extension of those deadlines until May 2 for initial comments and May 23 for reply comments.⁴ Petitioners were later granted an extension of time to file reply comments until June 13.⁵ The Commission provides additional time to file comments and reply comments in rulemaking proceedings when “good cause exists” for such an extension because it “will facilitate the development of a more accurate and complete record” and thus is in the public interest.⁶ As further explained below, good cause exists and the public interest would be served in this case by providing Petitioners with a modest extension of time to respond to the multiple issues raised in the Oppositions.

As previously noted, the Proposal raises controversial, substantive matters regarding inmate telephone services and long distance inmate service rates. Some of the Oppositions raise cost and other economic issues that have required and continue to require time-consuming analysis and rebuttal by Petitioners’ expert, Douglas A. Dawson, and coordination between Mr. Dawson and counsel. Counsel have consulted and will need to consult further with public interest groups on whose behalf the Proposal was filed. Such analysis, coordination and consultation, as well as the press of other business, will require more time than was anticipated when Petitioners requested until June 13 to file their reply comments and supporting material.

⁴ *Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Order, CC Docket No. 96-128, DA 07-1366 (WCB Mar. 21, 2007).

⁵ *Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Order, CC Docket No. 96-128, DA 07-2096 (WCB May 17, 2007).

⁶ *See, e.g., id.* ¶ 3; *Verizon Telephone Companies, Petition for Forbearance From the Current Pricing Rules for the Unbundled Network Element Platform*, 18 FCC Rcd 14600 (2003) (concluding that good cause exists to extend the date to file comments and reply comments due to the complexity of the issues raised in the proceeding).

The significant and controversial public policy and consumer issues raised in the Proposal should not be resolved without providing a full opportunity for Petitioners to respond to the multiple legal and policy arguments in the Oppositions. Furthermore, any delay in the Commission's decision on the Proposal will be vastly outweighed by Petitioners' ability to develop a more complete record in this proceeding, which will assist the Commission in making an informed and appropriate decision.

An additional one-week extension will provide Petitioners a total of seven weeks to reply to all of the Oppositions, which is one and one-half weeks less than the total time afforded to other parties to file initial comments on the Proposal. The Commission routinely provides parties with additional time to file reply comments in situations where, such as here, the proceeding raises complex and substantive issues, particularly when other parties would not be harmed by the extension.⁷ Although no other party will be prejudiced by a brief extension of the deadline to file reply comments, counsel is attempting to provide notification of the filing of this request, by telephone or electronic mail, to the parties filing Oppositions as well as other parties filing initial comments.

⁷ See, e.g., *Procedures to Govern the Use of Satellite Earth Stations on Board Vessels in the 5925-6425 MHz/ 3700-4200 MHz Bands and 14.0-14.5 GHz/ 11.7-12.2 GHz Bands*, IB Docket No. 02-10, DA No. 04-579 (Mar. 1, 2004) (granting the request for an extension of time to file reply comments because of the complex issues raised in the rulemaking proceeding).

Accordingly, Petitioners have shown good cause for a brief extension of one additional week, until June 20, 2007, of the due date for their reply to the Oppositions. The issues raised by the Oppositions and the lack of prejudice to any party, as well as the public interest in protecting ratepayer interests, support the requested relief.

Respectfully submitted,

Martha Wright, *et al.*

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Dated: June 11, 2007

CERTIFICATE OF SERVICE

I hereby certify on this 11th day of June, 2007, a copy of the foregoing Motion for Extension of Time has been served via electronic mail (*) or first class mail, postage pre-paid, to the following:

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