

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

In the Matter of	)	
	)	
High-Cost Universal Service Support	)	WC Docket No. 05-337
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Lifeline and Link Up	)	WC Docket No. 03-109
	)	
Universal Service Contribution Methodology	)	WC Docket No. 06-122
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	)	CC Docket No. 96-98
	)	
Developing a Unified Inter-carrier Compensation Regime	)	CC Docket No. 01-92
	)	
Inter-carrier Compensation for ISP-Bound Traffic	)	CC Docket No. 99-68
	)	
IP-Enabled Services	)	WC Docket No. 04-36

**MOTION FOR EXTENSION OF TIME FOR REPLY COMMENTS  
BY THE NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER  
ADVOCATES**

The National Association of State Utility Consumer Advocates (“NASUCA”) hereby moves the Federal Communications Commission (“FCC” or Commission”) for an extension of time to file reply comments on the Further Notice of Proposed Rulemaking released by the Commission on November 5, 2007.<sup>1</sup> In the FNPRM, parties were given

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<sup>1</sup> FCC 08-262.

only 14 days after Federal Register publication to file comments, and seven days thereafter to file reply comments.

The publication occurred on November 12, 2008.<sup>2</sup> Initial comments were filed November 26, 2008. Under the presubscribed schedule, reply comments were to be due on December 3, 2008.

As described in NASUCA's comments, there was no reason given for this truncated comment cycle.<sup>3</sup> This is especially problematic given the content of the materials put out for public comment:

The FNPRM represents ¶¶ 38-41 of 08-262, and four appendices. The Chairman's Draft Proposal (Appendix A), is 158 pages long. The Narrow Universal Service Reform Proposal (Appendix B) is 42 pages. And the Alternative Proposal (Appendix C) is 157 pages. The proposals involve billions of dollars in revenue shifts, in a wide variety of issue areas. The proposals involve massive restructuring for intercarrier compensation, universal service, and the universal service fund contribution mechanism. The seven days ostensibly allowed for reply added to the injury of the brief initial comment period.

But reality has further diminished the opportunity to reply to the multitudinous comments filed on November 26, 2008. There were over 120 separate comments filed; many of them were voluminous. NASUCA estimates that the last 75 comments filed totaled more than 2,000 pages. In addition, despite the valiant efforts of the Commission staff and its document contractor, many of the comments were not available on-line until

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<sup>2</sup> 73 Federal Register 219 at 66821; see <http://edocket.access.gpo.gov/2008/pdf/E8-26849.pdf>.

<sup>3</sup> NASUCA Comments at 4-5.

well into November 27, which was Thanksgiving, a federal holiday. Obviously, neither the volume of the comments or the delay in posting them was known before hand.

Thus the ability to reply to many of the comments on these vitally important issues has been unreasonably (and unnecessarily) restricted. Under these circumstances, an extension of time for the reply comments is necessary and appropriate.

One possibility would be to allow a reasonable period for the reply comments. This would, at a minimum, allow three weeks for the reply comments.<sup>4</sup>

On November 26, 2008, the Rural Cellular Association (“RCA”) filed a motion for extension of time. RCA’s Motion, filed before the true volume of comments was known, requested a 14-day extension of the reply comment filing date. NASUCA submits that this extension would be inadequate in light of the volume of the comments, and that the reply comment due date should be extended by 21 days, to December 24, 2008.

Thank you for your attention to this reasonable request.

Respectfully submitted,

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<sup>4</sup> Admittedly, the Commission typically allows less time for reply comments than it does for initial comments. The circumstances surrounding and issues contained in the FNPRM justify a deviation from tradition.

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CC: Chairman Martin; Commissioners Adelstein, Copps, McDowell and Tate; Dan Gonzalez; Ian Dillner; Scott Deutchman; Scott Bergmann; Greg Orlando; Nicholas Alexander; Dana Shaffer; Julie Veach; Donald Stockdale; David Nace  
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