

DOCKET FILE COPY ORIGINAL  
 Before the  
 Federal Communications Commission  
 Washington, D.C. 20554

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FCC Mail Room

In the Matter of	)	
	)	
Preserving the Open Internet	)	GN Docket No. <u>09-191</u>
	)	
Broadband Industry Practices	)	WC Docket No. 07-52

**ORDER****Adopted: February 23, 2010****Released: February 23, 2010****Reply Comment Date: April 8, 2010**

By the Chief, Wireline Competition Bureau:

1. On October 22, 2009, the Commission released a Notice of Proposed Rulemaking (*Notice*) seeking public comment on draft rules to preserve an open Internet.<sup>1</sup> The Commission required that comments on the *Notice* be filed by January 14, 2010, and reply comments by March 5, 2010.<sup>2</sup>

2. On February 16, 2010, the Motion Picture Association of America, Inc. (MPAA) filed a motion requesting that the Commission extend the deadline for filing reply comments until April 30, 2010.<sup>3</sup> On February 18, 2010, the American Federation of Television and Radio Artists, the Directors Guild of America, the International Alliance of Theatrical Stage Employees, and the Screen Actors Guild filed a joint motion also seeking an extension of the reply comment deadline until April 30, 2010.<sup>4</sup> MPAA suggests that the requested extension would allow parties to “respond to and incorporate issues raised” in the National Broadband Plan that the Commission will submit to Congress by March 17, 2010.<sup>5</sup> Both filings note that the federal government was closed for nearly a week in early February due to major snowstorms, “making it difficult for parties to meet or communicate with Commission staff” about issues raised in this proceeding.<sup>6</sup> On February 18, 2010, Public Knowledge, Consumers Union, Media Access Project, New America Foundation, and U.S. PIRG filed a pleading supporting MPAA’s motion for an

<sup>1</sup> *Preserving the Open Internet*, GN Docket No. 09-191, *Broadband Industry Practices*, WC Docket No. 07-52, Notice of Proposed Rulemaking, 24 FCC Rcd 13064 (2009) (*Notice*).

<sup>2</sup> *Id.* at 13064.

<sup>3</sup> Motion of Motion Picture Association of America, Inc. for Extension of Time, GN Docket No. 09-191, WC Docket No. 07-52, at 1 (filed Feb. 16, 2010) (MPAA Motion).

<sup>4</sup> Motion of American Federation of Television and Radio Artists, Directors Guild of America, International Alliance of Theatrical Stage Employees, and Screen Actors Guild for Extension of Time, GN Docket No. 09-191, WC Docket No. 07-52, at 1 (filed Feb. 18, 2010) (Entertainment Guilds Motion).

<sup>5</sup> MPAA Motion at 2. The National Broadband Plan was initially due to Congress on February 17, 2010; in January Congress granted a one-month extension. *Id.* at 1-2.

<sup>6</sup> *Id.* at 2; Entertainment Guilds Motion at 1.

extension of the filing deadline, noting that “the additional time would assist parties in responding to the numerous issues raised” in the initial comments.<sup>7</sup>

3. It is the policy of the Commission that extensions of time shall not be routinely granted.<sup>8</sup> However, given the large record and the National Broadband Plan’s release in March, we find that good cause exists to provide all parties a one-time extension of the reply comment deadline. We believe that a shorter extension than the petitioners request will suffice; we therefore grant parties an extension until April 8, 2010 to file reply comments. We expect that this extension will help parties develop complete and useful replies.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 155(c) and sections 0.91, 0.291, and 1.46 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the due date for filing reply comments in response to the Notice of Proposed Rulemaking in GN Docket No. 09-191 and WC Docket No. 07-52 IS EXTENDED to **April 8, 2010**.

5. IT IS FURTHER ORDERED that the MPAA Motion for Extension of Time and the Entertainment Guilds Motion for Extension of Time ARE GRANTED to the extent indicated herein.

FEDERAL COMMUNICATIONS COMMISSION



Sharon E. Gillett  
Chief  
Wireline Competition Bureau

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<sup>7</sup> Public Knowledge, Consumers Union, Media Access Project, New America Foundation, and U.S. PIRG Joint Support for Motion for Extension of Time, GN Docket No. 09-191, WC Docket No. 07-52, at 1 (filed Feb. 18, 2010).

<sup>8</sup> 47 C.F.R. § 1.46(a).