

FEDERAL COMMUNICATIONS COMMISSION
WIRELINE COMPETITION BUREAU

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Petition for Declaratory Ruling of Mediacom)
Communications Corporation Pursuant to)
Section 1.2(a) of The Commission's Rules)

WC Docket No. 14-52

MOTION TO EXTEND DEADLINES FOR RESPONSE AND REPLY COMMENTS

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May 1, 2014

Oncor Electric Delivery Company LLC (“Oncor”), pursuant to 47 C.F.R. § 1.46, moves for a thirty (30) day extension of the Comment and Reply Comment deadlines established by the April 8, 2014 Public Notice of the Wireline Competition Bureau in the above-referenced docket, and in support of this Motion, states as follows:

1. Pursuant to Public Notice dated April 8, 2014 (the “Notice”), the Wireline Competition Bureau sought comment on the February 19, 2014 Petition for a Declaratory Ruling concerning indemnification clauses in pole attachment agreements filed by Mediacom Communications Corporation (“Mediacom”) (the “Petition”).

2. The Notice allows interested parties to file Comments in response to the Petition by May 8, 2014, and file Reply Comments by May 23, 2014.

3. Oncor, the nation’s sixth-largest electric distribution company, is a public utility company which distributes electric service to nearly half of the state of Texas. As a large pole-owner with various third-parties attached to its poles (creating varied risk scenarios), Oncor is an interested party in this proceeding and intends to file Comments in response to the Petition.

4. Given the complex nature of the subject matter of the Petition and the significant and far-reaching consequences of any Declaratory Ruling entered by the Commission on the Petition, Oncor’s Comments will require the input of Oncor risk services and legal personnel, as well as other subject matter experts. Moreover, Oncor is currently engaged in determining the feasibility of filing joint comments in this docket with other pole owners.

5. To facilitate the development of its Comments, seeking of input from various subject matter experts, and further investigation of the possibility of filing joint comments, Oncor respectfully requests that the Commission grant a thirty (30) day extension of the Comment and Reply Comment deadlines. Such an extension will provide time for collaborative

discussions and may ultimately allow Oncor to file joint comments, thereby eliminating the need for potentially duplicative filings.

6. Mediacom should not be prejudiced by the short extension of deadlines sought in this Motion. The underlying tort case upon which Mediacom's Petition is based is not set for trial until July 2015. (Petition at fn. 4). Further, no depositions have yet taken place and expert disclosures are not due from the Defendants until 2015. In addition, Mediacom should not be prejudiced by the proposed extension because its subsidiary, Mediacom Iowa LLC, entered into the pole license agreement at issue in the state court proceeding in May of 2002, but did not file its Petition until February of 2014. *Id.* Conversely, Oncor, and other potential commenters, would benefit from the brief extension by being afforded adequate time to prepare fully-developed Comments that will aid the Bureau in reaching a decision on the Petition with a more robust record.

CONCLUSION

For the reasons stated herein, Oncor respectfully requests that the Commission extend the Comment deadline from May 8, 2014 to June 9, 2014, and extend the Reply Comment deadline from May 23, 2014 to June 23, 2014.

Respectfully submitted this 1st day of May, 2014.

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