

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
Kingsgate Telephone, Inc. Petition for Waiver of the Definition of “Study Area in the Appendix— Glossary of Part 36	)	

**MOTION FOR EXTENSION OF TIME**

Pursuant to Section 1.46 of the Commission’s rules, ETS Telephone Company, Inc. (“ETS”) hereby requests a 60-day extension of time of the deadline established by the Commission in a June 3, 2014 Order (“Order”) for the re-filing of its 1996 study area waiver request in the above-captioned proceeding.<sup>1</sup> While ETS recognizes that it is not the Commission’s policy to routinely grant extensions of time, an extension is necessary and warranted in this case to enable ETS to collect and process the records and information spanning the more than eighteen-year period since ETS’ initial waiver request was filed.<sup>2</sup>

The personnel who managed ETS in 1996, and also those that were responsible for its request for clarification in 2008, are no longer with the company. ETS is attempting to contact former employees for assistance but this effort complicates and lengthens the time necessary to assemble a response. Many of the potentially-relevant records are very old and are not readily accessible. ETS is a small company and has only a few employees who are suitable to work on the waiver, but they have only limited time available at present because of high demands from company operations. ETS wishes to have its counsel

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<sup>1</sup> See *Federal-State Joint Board on Universal Service; Kingsgate Telephone, Inc. Petition for Waiver of the Definition of “Study Area” in Appendix – Glossary of Part 36*, Order, CC Docket No. 96-45 (WCB rel. June 3, 2014).

<sup>2</sup> *Petition for Waiver Filed Kingsgate Telephone Company, Inc., Concerning the Definition of “Study Area” Contained in the Part 36 Appendix—Glossary of the Commission’s Rules*, Petition, AAD 96-51 (filed on March 29, 1996).

meet with Bureau staff in advance of filing in order to seek clarification of the Commission's expectations, objectives and policies to be applied to ETS' waiver. ETS counsel contacted the Commission in late June to request a meeting, but found that the necessary Bureau personnel would be out of the office until July 7, not long before ETS' filing would be due.

For all of these reasons, if this Motion is denied, ETS would be prejudiced and deprived of due process because it would be unable to conduct a full investigation to determine the best presentation of its case. In addition, the Commission has often found that the public interest would be better served if it receives a full and informed record. The Commission has expressly noted the importance of an updated record in this case, as the Order explained that "ETS' 1996 petition does not provide adequate information for the Bureau to make a determination regarding whether such a waiver is in the public interest," and that "[t]he decision on the study area waiver should be based on the factual circumstances and regulatory framework that exists today, not the situation that existed two decades ago."<sup>3</sup> That full and complete, updated record that the Commission seeks may not be possible unless this Motion is granted. Accordingly, ETS respectfully requests that the Commission grant its motion for a 60-day extension of the Order's deadline for filing an amended study area waiver request.<sup>4</sup>

Respectfully submitted,



Paul B. Hudson  
DAVIS WRIGHT TREMAINE LLP  
1919 Pennsylvania Avenue, NW, Suite 800  
Washington, DC 20006-3401  
(202) 973-4275

*Counsel for ETS Telephone, Inc.*

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<sup>3</sup> Order, ¶ 9.

<sup>4</sup> ETS respectfully requests that the Commission grant the full length of the requested extension rather than shorten the period only to August, when ETS personnel and counsel have scheduled vacations and will not readily be available.