

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

In the Matter of)
)
Universal Service Contribution Methodology) WC Docket No. 06-122
)

ORDER

Adopted: July 5, 2019

Released: July 5, 2019

Extended Filing Deadline for Comments: July 29, 2019
Extended Filing Deadline for Reply Comments: August 26, 2019

By the Chief, Wireline Competition Bureau:

1. On May 31, 2019, the Commission released a Notice of Proposed Rulemaking (“Notice”) seeking comment on establishing a cap on the Universal Service Fund (USF) and ways it could enable the Commission to evaluate the financial aspects of the four USF programs in a more holistic way, and thereby better achieve the overarching universal service principles Congress directed the Commission to preserve and advance.¹ The Notice set deadlines for filing comments and reply comments at 30 days and 60 days, respectively, after publication of the Notice in the *Federal Register*.² A summary was published in the *Federal Register* on June 13, 2019.³ Accordingly, the filing dates were initially established as July 15, 2019 for comments and August 12, 2019 for reply comments.

2. The Education and Library Networks Coalition (EdLiNC) and a stakeholder group⁴ each submitted filings in WC Docket No. 06-122 seeking an extension of time for the comment cycle.⁵ The parties specifically request that the comment and reply comment deadlines are extended until September 30, 2019 and October 30, 2019, respectively.⁶ The parties argue the instant proceeding is complex, may significantly alter the allocation of USF resources, and that there is inadequate time to provide meaningful responses due to the fact that the current comment period coincides with summer break, new school year preparations, and filing deadlines for additional Commission proceedings that impact the affected parties.⁷

¹ See *Universal Service Contribution Methodology*, WC Docket No. 06-122, Notice of Proposed Rulemaking, FCC 19-46 (rel. May 31, 2019) (“Notice”).

² *Id.* at 1.

³ 84 FR 27570 (June 13, 2019).

⁴ The School, Health & Libraries Broadband (SHLB) Coalition and the National Consumer Law Center submitted a Motion signed by thirty-five organizations, representing an array of public interest, civil rights, consumer, education, libraries, and healthcare interests.

⁵ See Letter from Education and Library Networks Coalition (EdLiNC) to Ajit Pai, Chairman, Federal Communications Commission, WC Docket No. 06-122 (filed June 13, 2019) (“*EdLiNC Letter*”); Schools, Health & Libraries (SHLB) Coalition and National Consumer Law Center, Motion for Extension of Time, WC Docket No. 06-122 (filed June 26, 2019) (“*SHLB et al. Motion*”).

⁶ See *SHLB et al. Motion* at 1, 4. See also *EdLiNC Letter* at 1-2.

⁷ See *EdLiNC Letter* at 1-2; *SHLB et al. Motion* at 1-4.

The parties contend that additional time to prepare comments and reply comments will benefit, not disadvantage, other interested parties, the public, and the Commission by facilitating the development of a complete and robust record.⁸

3. As set forth in Section 1.46 of the Commission's Rules, the Commission's policy is that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted.⁹ In this case, however, an extension of the comment and reply period is warranted to enable commenters to adequately respond to the issues presented in the *Notice*. We decline, however, to grant the full extension requested by the parties. We find that none of the arguments presented justify the requested delay in the comment cycle in this proceeding.

4. First, the complexity of the issues and the range of proposed rule changes do not warrant such a lengthy extension of time. Second, overlapping filing deadlines and comment cycles are not unusual, given the press of Commission business.¹⁰ Similarly, scheduling conflicts of interested organizations occur year-round, and granting extensions based on such conflicts would make it impossible to maintain comment cycles in rulemaking proceedings that implicate the interests of a wide range of parties and associations. With the extension granted herein, interested parties will now have 14 additional days to prepare comments and reply comments. We believe that this provides parties with ample time to prepare responses to the *Notice*. If commenters have additional relevant information to provide after the reply comments are due, they may provide that through *ex parte* filings in the docket.¹¹

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 303(r), and sections 0.91, 0.291, 1.46, and 1.415 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, and 1.415, that the Motion for Extension of Time filed by SHLB et al. and the Request for Extended Comment Period filed by EdLiNC are GRANTED, to the extent described above. The deadline for filing comments is extended to **July 29, 2019**, and the deadline for filing reply comments is extended to **August 26, 2019**.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

⁸ See *EdLiNC Letter* at 1-2; *SHLB et al. Motion* at 1-2, 4.

⁹ 47 CFR. § 1.46.

¹⁰ See, e.g., *Connect America Fund* et al., Order, 29 FCC Rcd 10468 (WCB/WTB Sept. 3, 2014); *Protecting the Privacy of Customer of Broadband and Other Telecommunications Services*, Order, 31 FCC Rcd 3943 (WCB Apr. 29, 2016).

¹¹ The proceeding the *Notice* initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See *Notice* at para. 27; 47 CFR §§ 1.1200 *et seq.*