

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of the Local Competition)	
Provisions in the Telecommunications Act)	CC Docket No. 96-98
of 1996)	

ORDER

Adopted: May 7, 1996

Released: May 7, 1996

By the Chief, Common Carrier Bureau:

1. On April 19, 1996, the Commission released a Notice of Proposed Rulemaking (Notice) in CC Docket No. 96-98 to implement the local competition provisions of the Telecommunications Act of 1996.¹ The Notice provided that comments were to be no longer than seventy-five (75) pages and that reply comments were to be no longer than thirty-five (35) pages, including exhibits, appendices, and affidavits of expert witnesses. Empirical economic studies and copies of relevant state orders were not to be counted against these page limits. The Notice required parties to file comments by May 16, 1996 and reply comments by May 30, 1996.²

2. On May 1, 1996, GTE Service Corporation (GTE) and the Consumer Federation of America (CFA) filed motions for extension of time.³ GTE argued that, in light of the number of issues to be addressed, the inclusion of appendices in the page limits, the 35 page limit for replies, and the 14 day time period for replies, will preclude development of the most helpful and informative record. Among other things, GTE emphasized the difficulty of reviewing the record and filing reply comments within 14 days. GTE urged the Commission to modify the comment filing procedures to provide that: (1) exhibits, appendices, and affidavits not be counted against the page limits; (2) the page limit for replies be 50 pages; and (3) the date for filing reply comments be increased from 14 to 21 days after the comment due date, i.e., June 6, 1996.

3. CFA argued that this proceeding and the universal service proceeding are inextricably linked,⁴ and that the limited comment periods in this proceeding would have a disproportionate negative

¹ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Notice of Proposed Rulemaking, CC Docket No. 96-98, FCC 96-182, 61 FR 18311 (April 25, 1996).

² The Notice established separate comment and reply dates for issues regarding Dialing Parity, Number Administration, Notice of Technical Changes, and Access to Rights of Way. Nothing in this order alters or affects filing procedures regarding those issues.

³ GTE Motion for Extension of Time and for Waiver of Page Limits (filed May 1, 1996); CFA Request for Extension of Time (filed May 1, 1996).

⁴ *Federal-State Joint Board on Universal Service*, Notice of Proposed Rulemaking and Order Establishing Joint Board, CC Docket No. 96-45, FCC 96-93 (released April 8, 1996).

effect on the ability of public interest groups to file comments. CFA argued that large telecommunications companies with substantial resources would have less difficulty participating in both proceedings, while public interest groups may be forced to either file comments which are less than complete or not file comments at all. CFA asserted that this would result in an incomplete record. CFA requested the Commission to extend the time to file comments until June 13, 1996 and the time for reply comments until July 3, 1996.

4. In light of concerns expressed by the parties, and in the interest of building the best record possible under the existing circumstances, the page limitations are modified as follows: (1) comments must be no longer than one hundred twenty (120) pages and reply comments no longer than fifty (50) pages; (2) in addition to empirical economic studies and copies of relevant state orders, technical diagrams will not count against these page limitations; and (3) an additional 4 copies of comments and reply comments must be sent to Janice Myles of the Common Carrier Bureau, 1919 M Street, N.W., Room 544, Washington, D.C. 20554. We decline to adopt GTE's request that exhibits, appendices and affidavits be excluded from the page limit since we believe that this could easily be tantamount to removing the page limitations altogether. In lieu of this, we are increasing the page limit for comments substantially, from 75 to 120 pages. We are also increasing the page limit for replies to 50 pages as requested by GTE.

5. We deny the GTE and CFA requests for extension of the dates for filing comments and/or replies. Although the current pleading schedule is relatively compressed given the scope of the issues involved, we do not believe that we can extend the filing dates without compromising the Commission's ability to meet the implementation schedule mandated by Congress.

6. In order to facilitate development of the best possible record within existing constraints, we stress the need for interested parties to present their positions fully in their initial comments. We emphasize that the purpose of reply comments is to permit parties to respond to the original comments.⁵

7. Accordingly, IT IS ORDERED that the motion for extension of time and for waiver of page limits filed by GTE Service Corporation is GRANTED to the extent indicated above and otherwise DENIED.

8. IT IS FURTHER ORDERED that the request for extension of time filed by the Consumer Federation of America is DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Regina M. Keeney
Chief, Common Carrier Bureau

⁵ 47 C.F.R. § 1.415(c).