

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

In the Matter of)
)
Lifeline and Link Up Reform and Modernization) WC Docket No. 11-42
)

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 1.415(e) and 1.46(b) of the Federal Communication Commission’s (“FCC” or “Commission”) rules and regulations,¹ the National Association of State Utility Consumer Advocates (“NASUCA”)² submits this Motion requesting an extension of time for the filing of initial comments and reply comments in response to the Commission’s June 1, 2021 Public Notice seeking comment on NASCUA’s petition requesting the Commission reconsider its *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016) (“*2016 Lifeline Order*”).

Pursuant to the Public Notice, comments are due July 1, 2021 and reply comments are due July 16, 2021. This Motion requests that the Commission extend the deadline for comments to

¹ 47 C.F. R. §§ 1.415(e) and 1.46(b).

² NASUCA is a voluntary association of 59 consumer advocate offices in 44 states, the District of Columbia, Barbados, Jamaica and Puerto Rico. NASUCA’s members are designated by laws of their respective jurisdictions to represent the interests of utility consumers before state and federal regulators and in the courts. Members operate independently from state utility commissions as advocates for utility ratepayers. Some NASUCA member offices are separately established advocate organizations while others are divisions of larger state agencies (e.g., the state Attorney General’s office). NASUCA’s associate and affiliate members also serve utility consumers but are not created by state law or do not have statewide authority. Some NASUCA member offices advocate in states whose respective state commissions do not have jurisdiction over certain telecommunications issues. For more information see <https://www.nasuca.org/>

Monday, August 30, 2021, and extend the deadline for reply comments to Tuesday, September 14, 2021. NASUCA further requests expedited treatment on this Motion, including a shortened response date.

BACKGROUND

On April 27, 2016, the Commission released the *2016 Lifeline Order*, which was published in the Federal Register on May 24, 2016. In the Order, the Commission took the laudable step of bringing the Lifeline program into the Internet Age, by allowing Lifeline support for broadband services. There were four flaws with the *2016 Lifeline Order* however that negatively impacted Lifeline customers. First, the decision to remove Lifeline support for stand-alone voice services would force Lifeline customers onto more expensive bundles.³ Second, the order failed to adopt regulations so that customers who could not afford bundled service could still maintain basic voice service.⁴ Third, the order failed to require that payment arrangements be offered for back-up power for Lifeline customers.⁵ Fourth, the order failed to reform the universal service contribution mechanism to require contribution from broadband services.⁶

On June 23, 2016, NASUCA filed a Petition for Reconsideration raising the four issues listed above. On June 1, 2021, five years after NASUCA filed its Petition for Reconsideration, the Commission issued the above-referenced Public Notice to refresh the record and seek comment on the four issues raised by NASUCA.

³ *2016 Lifeline Order*, at ¶ 117.

⁴ *Id.*

⁵ *Id.*, at ¶ 282.

⁶ *Id.*, at ¶ 395.

REQUEST FOR EXTENSION OF TIME

The Commission will grant a request for an extension of time if good cause exists, and the public interest will be served by granting the extension.⁷ Here, five years have passed since NASUCA filed its Petition for Reconsideration. Given this length of time, NASUCA makes this request to ensure there is sufficient time to conduct consultations with respective members and to prepare reasoned comments that meaningfully address the broad range of complex issues presented in this docket and account for any and all developments that may have occurred in the intervening years.

Even in normal times, it would be difficult to develop a complete response to the Commission's inquiry within the time allotted. These difficulties are compounded by the ongoing COVID-19 pandemic. Many of the persons who will be involved in preparing a response to the Commission's Public Notice are still working from home, and coordination among all these individuals is more complex than usual as a result.

These issues are further compounded by three additional difficulties. First, NASUCA's virtual mid-year meeting was held on June 14 through June 17. A number of individuals who will be involved in preparing a response, were required to attend the meeting and assist in necessary preparatory work the week prior to the meeting. Second, several of NASUCA member office personnel that worked on NASUCA's Petition for Reconsideration are no longer with their NASUCA offices, placing additional burdens on those personnel that remain. Those remaining personnel, however, have other long-standing procedural deadlines to meet in existing state

⁷ *In the Matter of Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, 34 FCC Rcd 6303, ¶ 3 (2019) (granting movants a 90 day extension for initial and reply comments).

proceedings and are currently unable to fully focus on gathering the information necessary to prepare meaningful comments. Third, NASUCA has experienced difficulty in retaining a consultant that could produce a detailed and descriptive factual affidavit regarding the situational changes in the industry since the *2016 Lifeline Order* due to prior commitments.

NASUCA recognizes the Commission does not routinely grant motions for extension of time.⁸ As noted above, however, there are compelling reasons to justify an extension in this case. The public interest will be served by enabling NASUCA to submit comprehensive and substantive comments. This will ensure the Commission has a more complete record upon which to issue a decision on the four critical issues identified in NASUCA's Petition for Reconsideration.

CONCLUSION

WHEREFORE, for the foregoing reasons, NASUCA respectfully requests the Commission to grant this motion to extend the deadline for filing comments to Monday, August 30, 2021, and extend the deadline for reply comments to Tuesday, September 14, 2021.

Respectfully submitted,

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⁸ 47 CFR § 1.46(a).