

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

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| In the Matter of |) | |
| |) | |
| Protecting and Promoting the Open Internet |) | GN Docket No. 14-28 |
| |) | |
| Request for an Extension of Time from |) | |
| Nickolaus E. Leggett |) | |

ORDER

Adopted: July 10, 2014

Released: July 10, 2014

By the Acting Chief, Competition Policy Division, Wireline Competition Bureau:

1. In this Order, the Competition Policy Division of the Wireline Competition Bureau denies a request for an extension of time to file comments and reply comments in the Commission's Open Internet rulemaking proceeding, filed by Nickolaus E. Leggett.¹ On May 15, 2014, the Commission released the *2014 Open Internet NPRM*.² In the *2014 Open Internet NPRM*, the Commission sought comment on new rules to protect and promote the open Internet, to replace those that the U.S. Court of Appeals for the D.C. Circuit struck down in the *Verizon* decision on January 15, 2014.³ The Commission also sought comment on proposed enhancements to the transparency rule that is currently in effect. The *2014 Open Internet NPRM* set dates for comments and reply comments as July 15 and September 10, 2014, respectively.⁴

2. Mr. Leggett requests that the Commission consider granting an extension of the comment and reply comment periods for this proceeding.⁵ Mr. Leggett asserts that "it has become clear that the Commission's staff is not large enough to carefully read and process the flood of comments from the public in the available time."⁶

3. It is the policy of the Commission that extensions of time shall not be routinely granted,⁷ and we do not believe that an extension is warranted in this instance. Mr. Leggett has failed to state a reason why interested commenters would be unable to meet, or face difficulties in meeting, the dates set by the Commission for comment and reply comment submissions. Rather, Mr. Leggett argues only that

¹ Request for an Extension of Time from Nickolaus E. Leggett, GN Docket No. 14-28 (filed Jun. 18, 2014) (Leggett Request).

² See *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, Notice of Proposed Rulemaking, FCC 14-61, para. 3 (rel. May 15, 2014) (*2014 Open Internet NPRM*).

³ *Verizon v. FCC*, 740 F.3d 623 (D.C. Cir. 2014).

⁴ See *2014 Open Internet NPRM*.

⁵ Leggett Request at 2.

⁶ *Id.*

⁷ 47 C.F.R. § 1.46.

the Commission will have difficulties processing the large number of comments expected in this proceeding. We find that Mr. Leggett's assertion is not relevant to the submission dates set for interested parties to file comments and replies. For these reasons, Mr. Leggett's request for an extension of time is denied.

4. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), 5(c) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 155(c) and 303(r), and sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the Request for an Extension of Time filed by Nickolaus E. Leggett IS DENIED.

5. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Randy Clarke
Acting Chief
Competition Policy Division
Wireline Competition Bureau