

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

In the Matter of)	
)	
Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act)	WC Docket No. 23-62
)	
Rates for Interstate Inmate Calling Services)	WC Docket No. 12-375

ORDER

Adopted: November 8, 2024

Released: November 8, 2024

Revised *September 2024 Annual Reports Public Notice* Reply Comment Date: December 9, 2024

Revised *2024 IPCS Notice* Reply Comment Date: December 17, 2024

Revised *60-Day PRA 2024 IPCS Order* Comment Date: January 7, 2025

By the Chief, Wireline Competition Bureau:

1. By this Order, the Wireline Competition Bureau (Bureau) of the Federal Communications Commission (Commission) finds good cause to grant the following extensions of time for three separate comment filing deadlines in the above-captioned proceedings: the filing deadline for reply comments to the *September 2024 Annual Reports Public Notice*¹ is extended from November 18, 2024 to December 9, 2024; the filing deadline for reply comments on the *2024 IPCS Notice*² is extended from November 19, 2024 to December 17, 2024; and the filing deadline for comments in response to the 60-day Paperwork Reduction Act (PRA) notice for the *2024 IPCS Order*³ is extended from December 24, 2024 to January 7, 2025.

2. On July 22, 2024, the Commission released the *2024 IPCS Order*. In that item, the Commission implemented the expanded authority granted to the Commission by the Martha Wright-Reed Just and Reasonable Communications Act of 2022,⁴ adopting comprehensive reforms that will significantly reduce the financial burdens that incarcerated people face to communicate with their loved ones. In the accompanying *2024 IPCS Notice*, the Commission sought comment on a number of related

¹ *Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Public Notice, DA 24-918 (WCB/CGB Sept. 11, 2024) (*September 2024 Annual Reports Public Notice*); Federal Communications Commission, Notice and Request for Comments on *September 2024 Annual Reports Public Notice*, 89 FR 80449 (Oct. 3, 2024).

² *Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Report and Order, Order on Reconsideration, Clarification and Waiver, and Further Notice of Proposed Rulemaking, FCC 24-75 (rel. July 22, 2024) (*2024 IPCS Order* or *Order*, *2024 IPCS Reconsideration Order*, or *2024 IPCS Notice*); Federal Communications Commission, Notice and Request for Comments on *2024 IPCS Notice*, 89 FR 77065 (Sept. 20, 2024).

³ Federal Communications Commission, Notice and Request for PRA Comments on *2024 IPCS Order*, 89 FR 85209 (Oct. 25, 2024).

⁴ Martha Wright-Reed Just and Reasonable Communications Act of 2022, Pub. L. No. 117-338, 136 Stat. 6156 (2022) (*Martha Wright-Reed Act* or *Act*).

outstanding issues.⁵ The filing deadlines for the *2024 IPCS Notice* were set at October 21, 2024 for initial comments and November 19, 2024 for reply comments.⁶ The Commission separately released a 60-day PRA notice for the *2024 IPCS Order*, which was published in the Federal Register on October 25, 2024 establishing a December 24, 2024 deadline for filing comments regarding that PRA notice.⁷ Additionally, the Bureau and the Consumer and Governmental Affairs Bureau (Bureaus) released a public notice on September 11, 2024 inviting supplemental comment to refresh and expand upon the record regarding the Commission's IPCS annual reporting and certification requirements in light of the rules adopted by the Commission in the *2024 IPCS Order*.⁸ The Federal Register published this public notice on October 3, 2024, setting a November 4, 2024 deadline for filing comments and a November 18, 2024 deadline for filing reply comments.⁹

3. On October 25, 2024, the Wright Petitioners, the Benton Institute for Broadband and Society, the Pennsylvania Prison Society, United Church of Christ Media Justice Ministry, Public Knowledge, and Stephen A. Raher (collectively, the "Public Interest Parties") filed a motion to extend the deadline for reply comments on the *2024 IPCS Notice* by 30 days to December 17, 2024.¹⁰ Movants assert that an additional grant of time would "ensure interested parties have sufficient time to respond to the significant issues raised in the record and provide the Commission with richer and more valuable analysis" and "will facilitate the compilation of a complete record."¹¹ They argue, *inter alia*, that related deadlines for IPCS Annual Report comments, IPCS Annual Report reply comments, Further Notice of Proposed Rulemaking reply comments, Paperwork Reduction Act comments, and deadlines for comments and replies on Petitions for Reconsideration¹² are all stacked together, and that congested "[d]eadlines in such close proximity involving these complicated issues will likely pose certain challenges to some commenters."¹³ They argue that extension of the *2024 IPCS Notice* reply comment deadline "will allow interested parties to fully evaluate and respond to issues raised in the comments while also responding to the other issues at play in this docket." They request the additional time to help address the "multiple overlapping comment periods and deadlines within the next thirty days."¹⁴

4. On November 1, 2024, Securus Technologies filed comments supporting the Public Interest Parties' motion and requesting additional, related filing deadline extensions. Securus requests (1)

⁵ *2024 IPCS Notice* at 313-19, paras. 608-625.

⁶ *Wireline Competition Bureau Announces Effective Dates for the 2024 Incarcerated People's Communications Services Order and Comment Dates for the 2024 Incarcerated People's Communications Services Further Notice of Proposed Rulemaking*, WC Docket Nos. 23-62 and 12-375, Public Notice, DA 24-969 (rel. Sept. 20, 2024).

⁷ Federal Communications Commission, Notice and Request for Comments on *2024 IPCS Order*, 89 FR 85209 (Oct. 25, 2024).

⁸ *September 2024 Annual Reports Public Notice*.

⁹ The Bureaus had previously sought comment on proposed changes to the IPCS annual reports in the *August 2023 Annual Reports Public Notice. Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Public Notice, DA 23-656 (WCB/CGB Aug. 3, 2023) (*August 2023 Annual Reports Public Notice*).

¹⁰ The Public Interest Parties, Motion for Extension of Time, WC Docket Nos. 23-62 and 12-375, at 1 (filed Oct. 25, 2024), <https://www.fcc.gov/ecfs/document/1025251886194/1> (Public Interest Parties Motion for Extension).

¹¹ Public Interest Parties Motion for Extension at 3-4.

¹² *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Public Notice, Report No. 3221 (OMD Oct. 28, 2024); Federal Communications Commission, Notice of Petitions for Reconsideration of Action in Rulemaking Proceeding, 89 FR 88695 (Nov. 8, 2024) (Petitions for Reconsideration Notice).

¹³ Public Interest Parties Motion for Extension at 3.

¹⁴ *Id.* at 1, 3.

an extension of the filing deadline for reply comments on the *September 2024 Annual Reports Public Notice* from November 18, 2024 to December 9, 2024, (2) an extension of the filing deadline for the *2024 IPCS Further Notice* from November 19, 2024 to December 17, 2024; and (3) an extension of the filing deadline for comments on the 60-day PRA notice for the *2024 IPCS Order* from December, 24, 2024 to January 10, 2025.¹⁵

5. While extensions of time are not to be routinely granted,¹⁶ in this instance, we agree with the Public Interest Parties and Securus that an extension of the *2024 IPCS Notice* reply comment deadline will allow parties to provide us with more fulsome comments that will facilitate the compilation of a complete record in this proceeding, without causing undue delay to the Commission's consideration of these issues.¹⁷ As the Public Interest Parties rightly predict, the Commission subsequently announced comment and reply comment dates for Petitions for Reconsideration related to the *2024 IPCS Order*, which are due on November 25, 2024 and December 5, 2024 respectively.¹⁸ These newly-announced comment deadlines add to the legitimate concerns raised by the Public Interest Parties and Securus with respect to overlapping filing timeframes on the various different, but related notices in this proceeding.

6. We also concur with the concerns raised by Securus regarding allowing parties more time to file reply comments on the *September 2024 Annual Reports Public Notice* and comments on the 60-day PRA notice of the *2024 IPCS Order*. Securus argues that these filing deadlines effectively compete with other filing deadlines in this proceeding, noting that, in addition to general concerns regarding multiple filing deadline congestion, IPCS providers are also required to make various changes to their operations to implement the requirements adopted in the *2024 IPCS Order* that will become effective on November 19, 2024.¹⁹ We conclude that Securus's request for an extension of the deadline to file reply comments on the *September 2024 Annual Reports Public Notice* will not materially impede the adoption of revised IPCS annual reports requirements. While we agree with the Public Interest parties that it is important to move quickly to revise the Annual IPCS Reports,²⁰ we also recognize the importance of and value in getting thorough record comments upon which to rely.

7. We also conclude that Securus's request for an extension of the filing deadline for comments on the 60-day PRA notice of the *2024 IPCS Order* is warranted. We grant Securus's request only in part, however, by extending the comment deadline two additional weeks rather than Securus' requested 17-day extension in the interest of ensuring a timely effective date of the *2024 IPCS Order*'s rules. Two additional weeks should provide parties sufficient time to prepare their PRA comments.

8. Accordingly, IT IS ORDERED, pursuant to sections 0.204, 0.291, and 1.46 of the Commission's rules, 47 CFR §§ 0.204, 0.291, and 1.46 that the Motion for Extension of Time filed by the Public Interest Parties on October 25, 2024 is GRANTED and the deadline for filing reply comments on the *2024 IPCS Notice* IS EXTENDED to December 17, 2024.

9. IT IS ALSO ORDERED that the request to extend the deadline for filing reply comments

¹⁵ Securus Comments at 3.

¹⁶ 47 CFR § 1.46.

¹⁷ Public Interest Parties Motion for Extension at 3; *see also* Securus Comments at 3-4. The Commission has previously found an extension warranted under similar circumstances. *See, e.g., Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act*, Order, 38 FCC Rcd 5064 at 5066, para. 6 (WCB 2023) (granting an extension of time for reply comments in part due to overlapping filing deadlines).

¹⁸ Petitions for Reconsideration Notice, 89 FR 88695.

¹⁹ Securus Comments at 2 (noting that compliance with requirements that will be effective on November 19, 2024 will require that "thousands of contracts must be renegotiated, operations revised, and new procedures and processes developed").

²⁰ Public Interest Parties Motion for Extension at 3.

on the *September 2024 Annual Reports Public Notice* filed by Securus on November 1, 2024 IS GRANTED and the deadline for filing reply comments on the *September 2024 Annual Reports Public Notice* IS EXTENDED to December 9, 2024.

10. IT IS ALSO ORDERED that the request to extend the deadline for filing comments on the 60-day Paperwork Reduction Act notice for the *2024 IPCS Order* filed by Securus on November 1, 2024 IS PARTIALLY GRANTED and the deadline for filing comments on the 60-day PRA notice for the *2024 IPCS Order* IS EXTENDED to January 7, 2025.

11. To request materials in accessible formats (such as Braille, large print, electronic files, or audio format), send an e-mail to: fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY).

12. For further information concerning this proceeding, please contact Erik Raven-Hansen, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1532, Erik.Raven-Hansen@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Trent Harkrader
Chief
Wireline Competition Bureau