

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, OCTOBER 7, 2024

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PETITION OF

AMERICAN BROADBAND AND
TELECOMMUNICATIONS COMPANY LLC

CASE NO. PUR-2024-00095

For designation as an eligible telecommunications
carrier in the Commonwealth of Virginia

ORDER GRANTING MOTION

On July 12, 2024, American Broadband and Telecommunications Company LLC ("American Broadband" or "Company") completed the filing of a petition ("Petition") with the State Corporation Commission ("Commission") pursuant to 47 U.S.C. § 214(e)(2), 47 C.F.R. §§ 54.101-54.207 of the Rules of the Federal Communications Commission, § 56-479.4 of the Code of Virginia, and the Commission's Rules Governing Designation of a Commercial Mobile Radio or Cellular Telephone Service Provider as an Eligible Telecommunications Carrier, 20 VAC 5-430-10 *et seq.* The Company requests that the Commission enter an order designating American Broadband as an eligible telecommunications carrier ("ETC") in the Commonwealth of Virginia.¹ Specifically, American Broadband requests ETC designation solely to provide Lifeline service to qualifying low-income Virginia consumers.²

On August 13, 2024, the Commission issued an Order for Notice and Comment that established the procedural schedule for review of the Petition. The Commission, among other things, directed the Company to publish notice of its Petition and provide a copy of the Order for Notice and Comment by email to each local exchange carrier ("LEC") certificated in Virginia by

¹ Petition at 1-2, 5-6, 25.

² *Id.* at 1, 14, 25.

September 5, 2024, and to file proof of the required service and notice by September 26, 2024. The Order for Notice and Comment afforded interested persons the opportunity to comment, object to, or request a hearing on the Company's Petition by October 3, 2024. The Commission also ordered the Staff of the Commission ("Staff") to investigate the Petition and present its findings and recommendations in a report ("Staff Report") on or before October 17, 2024.

American Broadband filed its proof of notice ("Notice") demonstrating that the newspaper publication directed by the Commission had been timely made.³ The Notice states that the email to the LECs had inadvertently not been done by September 5, 2024, but instead was done on September 26, 2024.⁴

On October 1, 2024, American Broadband filed a Motion For Extension of Procedural Dates ("Motion"), in which the Company requests that the Commission extend the remaining procedural dates in this case so as to allow LECs more time to review and make any filings on the Company's Petition.⁵ Specifically, the Motion asks the Commission to extend the following procedural dates so as to require: (a) LECs to file objections and/or request for a hearing by October 24, 2024; (b) Staff to file its Staff Report by November 7, 2024; and (c) American Broadband to file any reply to the Staff Report by November 21, 2024.⁶

³ Notice at 8.

⁴ *Id.* at 1, 4.

⁵ *See* Motion at 1.

⁶ *Id.* at 2.

The Motion documents that the Company is authorized to state that Staff has no objections to the extensions set forth in the Motion.⁷ The Company further asks the Commission to order such further relief as the Commission deems appropriate.⁸

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that American Broadband's Motion should be granted and that the procedural schedule for this case should be as amended below.

Accordingly, IT IS ORDERED THAT:

- (1) The Motion of American Broadband is granted.
- (2) The date for the filing of any comments, objections, or requests for hearing on the Company's Petition shall be extended from on or before October 3, 2024, to on or before October 24, 2024.
- (3) The date for the filing of a Staff Report containing the findings and recommendations of Staff based upon its investigation of the Company's Petition shall be extended from on or before October 17, 2024, to on or before November 7, 2024.
- (4) The date for the filing by American Broadband of its response to the Staff Report and/or to any comments, objections, or requests for hearing filed in this case shall be extended from on or before October 31, 2024, to on or before November 21, 2024.
- (5) Except as set forth herein, the provisions of the Commission's August 13, 2024 Order for Notice and Comment shall remain in full force and effect.
- (6) This matter is continued.

⁷ *Id.*

⁸ *Id.*

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

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