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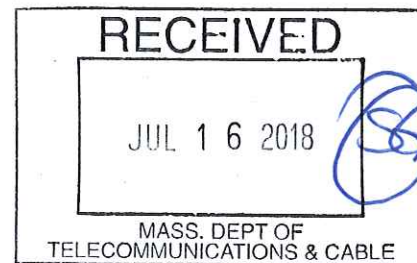
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July 16, 2018

VIA EMAIL

Ms. Shonda D. Green
Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118-6500
dte.efiling@mass.gov



RE: Petition of the State 911 Department for Approval of 2018 Fiscal Year Expenditure
and Adjustment of the Enhanced 911 Surcharge
DTC 18-2

Dear Ms. Green:

Enclosed for filing in the above matter, please find CTIA's motion to extend the
appeal period, together with certificate of service.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink that reads "Katie M. Gray".

Geoffrey G. Why
Katie M. Gray
Attorneys for CTIA – The Wireless Association®

Enclosures

cc: Service List (via email)

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

Petition of the State 911 Department
for Approval of Fiscal Year 2018
Expenditures and Adjustment of the
Enhanced 911 Surcharge

D.T.C. 18-2

MOTION OF CTIA TO EXTEND APPEAL PERIOD

Pursuant to Section 1.10(11) of the Department's Procedural Rules (207 C.M.R. § 1.10(11)), CTIA – The Wireless Association® ("CTIA") hereby moves that the Department extend the appeal period in the above matter. In support of this motion, CTIA states as follows:

1. On June 29, 2018, the Department issued its final order in this proceeding ("Order").

2. The deadline for filing a motion for reconsideration of the Order or an appeal from the Order is twenty days from the date of service of the Order. 207 C.M.R. §§ 1.10(10), 1.12(1); M.G.L. c. 25, § 5. Therefore, the deadlines for reconsideration and for appeal fall on the same date (namely, July 19, 2018).

3. CTIA intends to seek reconsideration of the Order on or before July 19, 2018.

4. The Department's procedural rules permit a party to request an extension of the appeal period, which the Department shall grant upon a showing of good cause. 207 C.M.R. § 1.10(11).

5. There is good cause to grant CTIA's motion for an extension of the appeal period. If the Department does not extend the appeal period, CTIA's request for reconsideration could result in CTIA's waiving its appeal rights unless CTIA files a concurrent judicial appeal. An appeal concurrent with a motion for reconsideration would result in a waste of judicial (or administrative) resources.

Paquette v. Dep't of Envtl. Prot., 55 Mass. App. Ct. 844, 849 ("If a party determines to seek reconsideration of an agency ruling, it is a pointless waste of judicial energy for the court to process any petition for review before the agency has acted on the request for reconsideration." (quoting *TeleSTAR, Inc. v. Fed. Commc'ns Comm'n*, 888 F.2d 132, 134 (D.C. Cir. 1989))).

6. The Department can avoid such a waste of resources by granting an extension of the appeal period in accordance with 207 C.M.R. § 1.10(11). A reasonable extended deadline for appeal would be twenty (20) days from the Department's ruling on CTIA's forthcoming motion for reconsideration.

WHEREFORE, CTIA respectfully requests that the Department issue an order extending the deadline for an appeal of its Order to no earlier than twenty (20) days from the date of its ruling on the forthcoming motion for reconsideration.

Respectfully submitted,



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Dated: July 16, 2018