

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

In the Matter of)
) MB Docket No. 07-42
Leased Commercial Access)

OPPOSITION TO MOTION FOR EXTENSION OF TIME

The National Cable & Telecommunications Association (“NCTA”) hereby opposes the motion of the Office of Communication, Inc. of the United Church of Christ (“UCC”) for an extension of time to respond to NCTA’s request for a stay of the Commission’s Report and Order in this proceeding pending judicial review.

The Commission’s rules provide that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.”¹ Contrary to UCC’s suggestion, there is nothing unusual about NCTA’s stay request that warrants an extension of the amount of time provided for in the rules for filing a response. Requests for a stay pending judicial review routinely include detailed arguments and declarations setting forth the reasons why the moving party is likely to succeed on the merits of its appeal and why it will suffer irreparable injury in the absence of a stay.

The short time frame set forth in the rules for responding to stay requests reflects the fact that time is normally of the essence in considering and ruling upon stay requests. And that is the case here. As UCC points out, unless stayed, the rules at issue will take effect on May 31, 2008. There must be ample opportunity in the less than two months between now and then not only for the Commission to consider the stay request but also, in the event that the Commission does not grant a stay, for NCTA to seek a stay in the United States Court of Appeals for the Sixth Circuit, where its appeal is pending.

¹ 47 C.F.R. § 1.46(a).

To ensure sufficient time for the filing of such a request with the Court, for the filing of responses by the Commission and other parties, and for consideration and action by the Court, NCTA has asked that the Commission act by April 11, 2008. UCC does not propose even to submit a response to NCTA's motion until that date.

For the foregoing reasons, the motion for extension of time should be denied.

Respectfully submitted,

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