

“The U.S. Chamber of Commerce applauds Chairman Walden and the members of the Subcommittee for again taking up the issue of Federal Communications Commission (FCC) process reform. FCC regulations and policies increasingly impact wide sectors of the U.S. economy that are responsible for job growth and innovation. The Chamber supports efforts to make the FCC’s current regulatory process more consistent, efficient, transparent, and reflective of today’s dynamic and competitive communications marketplace.” – Bill Kovacs, Senior Vice President for the Environment, Technology and Regulatory Affairs, U.S. Chamber of Commerce



AT&T STATEMENT REGARDING LEGISLATION TO IMPROVE THE FCC PROCESS

July 11, 2013

The following statement may be attributed to Tim McKone, AT&T Executive Vice President of Federal Relations:

“We welcome all efforts to improve the transparency, decision making and efficiency of regulatory agencies. To that end, the Federal Communications Commission (FCC) reforms proposed by Chairmen Fred Upton and Greg Walden are common sense improvements, with consumers ultimately reaping the benefits of a modernized agency.

“We look forward to working with the full Energy & Commerce Committee as the legislative process moves forward.”

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Of course we appreciate the Committee focusing attention on the processes by which the Commission ultimately reaches decisions that affect vital communications services upon which all Americans depend.

As a representative of hundreds of small, community-based communications providers who operate in high-cost rural areas, NTCA welcomes a dialogue on how best to ensure that communications policy is developed through procedures that take full and fair account of every stakeholder's voice, regardless of size. Transparency and regulatory certainty are certainly important to every telecom industry participant, but they are essential for small, rural network operators who must make significant, long-term investment decisions in hard-to-serve reaches of the country.

The decisions made by the Commission are of critical importance to small providers who carry out the congressional mission of universal service for consumers in high-cost rural areas. NTCA thanks the Committee for its thorough examination of the ways in which the Commission's decision-making process might be improved and enhanced, and we look forward to working with the Committee to ensure that such process reforms can promote regulatory certainty and rational, transparent decision-making.

Sincerely,

Tom Wacker
Vice President of Government Affairs
NTCA-The Rural Broadband Association

Today, the House Energy & Commerce's Subcommittee on Communications and Technology is holding a hearing on "Improving FCC Process" and draft legislation on FCC process reform. The following statement is attributable to David L. Cohen, Executive Vice President, Comcast Corporation:

"At Comcast we have long believed, given the changing marketplace dynamics and implications of FCC decisions, that certain reforms of FCC processes and procedures are appropriate. We applaud Chairman Walden for his efforts to offer a discussion draft, which represents an important next step towards modifying regulatory reforms that have been long discussed by many different Commissions regardless of party or leadership. As we have throughout this process, we look forward to continuing to working with the Chairman, members of the Committee, and the Administration to evaluate and refine the proposed legislation to ensure that a suitable set of reforms are set forth."

July 11, 2013

STATEMENT OF NCTA PRESIDENT & CEO MICHAEL POWELL REGARDING TODAY'S HOUSE SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY HEARING ON FCC PROCESS REFORM

"We thank Chairman Walden and members of the committee for their continued interest in improving FCC procedures and processes. Given today's competitive communications landscape, it is appropriate that policymakers carefully consider new ideas that promote transparency and predictability in decision making, streamline reporting requirements and remove outdated regulatory obstacles."

Contact: Brian Dietz/Joy Sims, (202) 222-2350



Thomas A. Schatz
President

July 11, 2013

U.S. House of Representatives
Committee on Energy and Commerce
Subcommittee on Communications and Technology
Washington, DC 20515

Dear Subcommittee Members,

Today, the House Energy and Commerce Subcommittee on Communications and Technology will hold a hearing on Federal Communications Commission (FCC) Reform. Part of the discussion during this hearing will cover two draft bills to reform the FCC process and reporting requirements. On behalf of the more than one million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I urge you to support these draft bills.

The rate at which federal agencies produce new rules is alarming. In 2009, the federal government issued 3,316 new rules and regulations, the equivalent of 1.6 rules per working hour. According to a February 21, 2013 report card from the Competitive Enterprise Institute, federal agencies published a total of 3,706 final rules in 2012, 108 of which came from the FCC, or an average of one new final FCC rule every 2.3 working days.

The report further estimated that the FCC creates the third most expensive set of rules, costing an estimated \$142 billion per year, but due to a lack of government transparency, the information on complete cost of the regulations is difficult to ascertain. Government regulations are often far-reaching and place significant new burdens on consumers and businesses. This is especially true at the FCC, even as wireline, wireless and cable providers continue to invest billions of dollars, create jobs, and remain competitive during a tough economy.

The legislation being debated by the Committee would streamline FCC operations and rulemaking by increasing transparency and accountability and minimizing potential agency overreach. The legislation would require the FCC to identify a market failure or consumer harm before proposing new rules; conduct a cost benefit analysis before adopting major rules that will cost more than \$100 million and establish performance measures to evaluate the effectiveness of these major rules; publish the full text of proposed rules that are under consideration; provide adequate time for the public to provide comments; and set specific schedules to issue decisions and report back to Congress.



Thomas A. Schatz

President

In his comments during the July 3, 2013 FCC approval of the Softbank-Sprint-Clearwire licensing and authorization transfer agreement (FCC Docket No. 12-343), FCC Commissioner Ajit Pai discussed the need for Congress to codify the 180-day shot clock for the FCC, so that the agency has a requirement to move with greater dispatch on these transactions. The draft legislation before the Committee contains such language. The draft bill would also prohibit the FCC from conditioning a merger on a party's acceptance of certain policies or rules that are unrelated to the specifics of the transaction. American businesses should not be forced to swallow new requirements that lack relevance or policy justification at the expense of consumers and taxpayers.

The second bill would streamline the reporting requirements at the FCC and further enhance the reform process. I strongly urge you to support these two bills to protect American taxpayers, businesses, and consumers from unnecessary regulatory burdens and to ensure a high standard of quality and accountability in the FCC's rule-making process.

Sincerely,

A handwritten signature in black ink that reads "Thomas Schatz".



July 10, 2013

U.S. House of Representatives

RE: Federal Communications Commission Process Reform

Dear Chairman Upton & Chairman Walden,

I write to support Congressional efforts in Federal Communications Commission process reform, which will be discussed in the upcoming Energy and Commerce Subcommittee on Communications and Technology hearing. In keeping with the Presidents' goals of a "smarter, more innovative, and more accountable government," Congress should continue its efforts to reform FCC rulemaking process and increase FCC transparency as outlined in two bills sponsored by Chairman Greg Walden and passed by the House in the 112th Congress.

The FCC effectively oversees one-sixth of the nation's economy, yet has little regard for how the mandates and regulations it enacts impact the pocketbooks of consumers and businesses. The legislation requires the Commission to provide a cost-benefit analysis justifying its rulemakings. The FCC has an abysmal track record of considering actual market failure or consumer harm when establishing new rules. This truth was brought to light most notably during the Commission's lengthy Net Neutrality proceeding. The measure would also stop the FCC from making merger approvals contingent on politically motivated, unrelated, and extraneous regulatory conditions.

Additionally, Congress should codify shot clocks for Commission proceedings, curbing the FCC's untimely responses when deliberating a new rule, merger, or otherwise. As evidenced during the AT&T/T-Mobile merger and Universal Service Fund proceedings – amongst others – the FCC frequently starts and stops the clock for political gain. This legislation would ensure proceedings are conducted in an even-handed manner for matters before the Commission.

The Federal Communications Commission has undertaken numerous proceedings in recent years with little regard for its impact on consumers, the economy, or even statutory authority. We urge you to support serious changes to the FCC process that will make the agency more accountable to consumers, business and Congress. If you have any questions, please contact Katie McAuliffe at (202) 785-0266.

Onward,

Grover Norquist
President, Americans for Tax Reform

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FOR IMMEDIATE RELEASE
Thursday, July 11, 2013

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FCC BILLS PROVIDE PATH FOR BIPARTISAN REFORM EFFORTS

Background: Today the House Energy and Commerce Committee's Subcommittee on Communications and Technology is holding a hearing to discuss two bills the House passed last Congress: the Federal Communications Commission Process Reform Act, and the Federal Communications Commission Consolidated Reporting Act.

The following statement is from USTelecom President & CEO Walter B. McCormick Jr.:

“We appreciate the continued efforts of Chairmen Upton and Walden to improve the FCC’s transparency, efficiency, and accountability. The legislation being discussed at today’s hearing will provide for streamlined regulatory processes and increased regulatory certainty, complementing reforms undertaken by President Obama and former Chairman Genachowski. We hope that today’s hearing will lead to an even fuller examination in the months ahead of the need to update our nation’s communications laws, and we look forward to working with the committee to achieve broad bipartisan consensus on further measures to address the emerging needs of our 21st century economy.”

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About USTelecom

The United States Telecom Association, USTelecom, is the premier broadband trade association representing service providers and suppliers for the telecom industry. USTelecom represents companies offering a wide range of advanced telecommunications services including voice, video and data over local exchange, long distance, wireless, Internet and cable platforms.

FOR IMMEDIATE RELEASE

July 11, 2013

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NAB Statement on FCC Process Reform

WASHINGTON, D.C. -- In response to today's hearing by the House Subcommittee on Communications and Technology on "Improving FCC Process," the following statement may be attributed to NAB President and CEO Gordon Smith:

"NAB continues to support efforts by Chairmen Upton and Walden to take a fresh look at FCC processes to ensure that Commission procedures don't impede the ability to serve the public interest. The agency has a critically important mission, and it is imperative that it execute that mission expeditiously, fairly and in a data-driven manner. We look forward to working with the Committee and the Commission to ensure that the FCC functions at the highest level for the American people."

About NAB

The National Association of Broadcasters is the premier advocacy association for America's broadcasters. NAB advances radio and television interests in legislative, regulatory and public affairs. Through advocacy, education and innovation, NAB enables broadcasters to best serve their communities, strengthen their businesses and seize new opportunities in the digital age. Learn more at www.nab.org.

For Immediate Release:
July 11, 2013

Contact: Rob Thormeyer
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NARUC's Ramsay Applauds Effort to Reform FCC Process

WASHINGTON—Reforming how the Federal Communications Commission develops rules and implements policies will benefit consumers, the markets it oversees, and result in a better record for agency decisions, the National Association of Regulatory Utility Commissioners told Congress.

In testimony today before the House Energy and Commerce Committee Subcommittee on Communications and Technology, NARUC General Counsel James Bradford Ramsay applauded committee members for pursuing this issue through draft legislation.

“Let me begin by sincerely thanking you for circulating the discussion draft and holding this hearing,” Mr. Ramsay said. “There is no question that reform is needed.”

The discussion draft includes numerous improvements that will greatly improve agency decisions, transparency, and market oversight, Mr. Ramsay said. While careful to note that NARUC either does not endorse or have a position on every element in the bill, the product overall is a positive development, he added.

Specifically, NARUC supports the draft's changes on how the FCC proposes and seeks comments on new rulemakings. The draft requires the agency to ask public comments on the specific language of proposed rules and a minimum of 30 days for stakeholder comment, with another 30 days for replies.

“Though it will require the FCC to manage its proceedings more carefully, this is a crucial improvement over the current process,” Mr. Ramsay said. This will particularly assist NARUC's State public utility commission members, who are often among the experts on these issues, in getting their comments in on time.

Mr. Ramsay also expressed NARUC's support for language that would direct the FCC to create a searchable online database of consumer complaints. Doing so would help consumers choose among competing providers and services. NARUC adopted a resolution calling for such a system in early 2012. “For competition to flourish consumers need access to information that will help them make informed decisions,” Mr. Ramsay said. “A comprehensive, searchable database on consumer complaints will provide just that.”

In addition, the draft legislation will greatly assist in making the several joint collaborative boards between State and federal commissions more effective and efficient. The FCC and NARUC members convene three congressionally mandated joint boards/conferences charged with making recommendations on universal service, advanced services, and separations. FCC commissioners participate during joint board meetings, but the agency's “Sunshine rules” prohibit more than one commissioner from participating at one time.

This means that during joint board hearings, FCC commissioners must rotate their participation, “causing continuous inefficient repetition of prior conversations and positions,” Mr. Ramsay said.

Sunshine reform “is long overdue,” he said. “This section unquestionably streamlines the FCC's decisional procedures. Its requirement for party diversity for a quorum to meet is a critical and clever additional protection of process.”

NARUC is a non-profit organization founded in 1889 whose members include the governmental agencies that are engaged in the regulation of utilities and carriers in the fifty States, the District of Columbia, Puerto Rico and the Virgin Islands. NARUC's member agencies regulate telecommunications, energy, and water utilities. NARUC represents the interests of State public utility commissions before the three branches of the Federal government.

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NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
July 11, 2013

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STATEMENT OF COMMISSIONER AJIT PAI ON CONGRESSIONAL HEARING ADDRESSING FCC PROCESS REFORM

I am pleased that today the House Energy and Commerce Committee's Subcommittee on Communications and Technology is examining ways to improve FCC processes. Process often dictates outcomes. Unfortunately, this means that FCC rules and policies can impede investment and innovation in the communications sector. Legislation reforming FCC processes is an important way to address this problem, and I look forward to working with Members of Congress on statutory solutions, including consolidating the many redundant reports that the Commission must produce each year. In the meantime, there is much that we at the Commission could do right now to improve and modernize our operations. For example, by creating more internal deadlines, adopting sunset clauses, weighing costs and benefits, streamlining our review of transactions, and enhancing transparency, the Commission could better serve the American people. I hope that today's hearing portends progress in updating FCC processes to reflect the realities of today's marketplace.