

Advocacy Submits Comment to the FCC on the OrbitCom Forbearance Petition

On August 21, 2008, The Office of Advocacy of the U.S. Small Business Administration (“Advocacy”) filed a letter with the Federal Communications Commission (“FCC” or “Commission”) commenting on OrbitCom’s petition for forbearance of Sections 61.26(b) and 61.26(c) of the FCC’s rules. The forbearance process allows a carrier to seek regulatory relief from certain FCC rules. OrbitCom submitted its forbearance filing on August 27, 2007. The FCC did not make the petition public until August 12, 2008, after the Commission placed it in circulation. Advocacy believes that making the petition available to the public prior to the decision-making process would help to increase the transparency of FCC actions.

- Advocacy urges the Commission to improve the transparency of the forbearance process. By making all forbearance petitions public soon after they are filed, the FCC can conduct its Section 10 forbearance analysis with the assistance of industry and consumer input. The overall process will benefit from this type of transparency.
- Advocacy also recommends that the FCC afford small carriers like OrbitCom a timely notification of what the Commission deems as deficiencies in a given petition. Small carriers like OrbitCom may lack the resources and sophistication that are often associated with larger telecommunications carriers, and providing them with this type of guidance may improve the overall efficiency of the forbearance process.

Information on the petition can be found on the FCC website at:
www.fcc.gov/cgb/ecfs/.

A complete copy of Advocacy’s letter may be accessed at:
<http://www.sba.gov/advo/laws/comments/>.

For more information, visit Advocacy’s website at: <http://www.sba.gov/advo/> or contact Assistant Chief Counsel Cheryl Johns by e-mail at: cheryl.johns@sba.gov, or by phone at: (202) 205-6949.