

Advocacy Submits Comment on the FCC's Notice of Proposed Rulemaking on Forbearance Procedures

On March 7, 2008, Advocacy filed a letter with the Federal Communications Commission ("FCC" or "Commission") in response to the Commission's February 1, 2008 request for comment on the proposed rule regarding "The Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act." The proposed rule calls for comment on whether the Commission should amend the forbearance process in Section 10 of the Communications Act of 1934, as amended. Advocacy's letter recommended changes to the Section 10 procedure that would reduce the economic impact of the FCC's proposed rule on small telecommunications carriers.

- Advocacy urged the Commission to open the forbearance process to formal notice and comment procedures. Preventing arbitrary and capricious deregulation will benefit small telecommunications entities and new market entrants and boost competition in the U.S. market.
- Advocacy recommended that the Commission work closely with Congress and the state public utility commissions to strengthen the Section 10 process. Advocacy urged the FCC to create a system whereby each forbearance petition would be thoroughly investigated and all interested parties could provide the necessary evidence to either support a grant or denial of the petition.
- Advocacy encouraged the Commission to create a complete-as-filed requirement for the Section 10 forbearance process and to fully enforce this requirement. This change would help bring clarity and consistency to the forbearance process for the benefit of small businesses.

Information on the proposed rule 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.