



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 11-2002
December 8, 2011

COMMISSION SEEKS COMMENT ON PRELIMINARY PLAN FOR RETROSPECTIVE ANALYSIS OF EXISTING RULES

GC Docket No. 11-199

Comments Due: February 8, 2012
Reply Comments Due: February 22, 2012

On November 7, 2011, the Commission released a Preliminary Plan for Retrospective Analysis of Existing Rules ("Preliminary Plan").¹ The Preliminary Plan describes the Commission's ongoing process of identifying outmoded or counterproductive rules and provides an overview of recent and current proceedings that include retrospective analysis. The Commission seeks comment generally on the Preliminary Plan and also seeks specific recommendations as outlined below.

The Commission is committed to being a responsive, efficient and effective agency that harnesses and promotes the technological and economic opportunities of the new millennium. As part of the Commission's goal to be a model of excellence in government, the agency has, since 2009, undertaken far-reaching initiatives designed to achieve its statutory objectives while removing burdens on industry and promoting innovation and job growth.

In furtherance of these objectives, the Commission seeks comment on the following questions:

- 1) What additional steps should the Commission take to identify rules that should be changed, streamlined, consolidated, or removed?
- 2) How can the Commission further reduce burdens on industry and consumers while fostering competition, diversity and innovation?
- 3) Are there Commission rules or reporting requirements that are duplicative or that have conflicting requirements among its bureaus and offices or with other agencies?
- 4) Are there Commission rules or reporting requirements that could be modified to better accomplish their regulatory objectives?

In addition, commenters are encouraged to submit other suggestions that may help the Commission develop better regulations and processes. Commenters are asked to specifically identify the rules or reporting requirements they are addressing, and to provide specific suggestions for ways the

¹ *Preliminary Plan for Retrospective Analysis of Existing Rules*, November 7, 2011, available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db1107/DOC-310874A1.pdf

Commission should modify such rules or reporting requirements, including alternative language where possible.

The proceeding initiated by this Public Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.² Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

Pursuant to Sections 1.415 and 1.419 of the Commission’s Rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

² 47 C.F.R. §§ 1.1200 *et seq.*

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information regarding this proceeding, contact Jennifer Tatel, Office of General Counsel, (202) 418-1700.