

STATEMENT OF
CHAIRMAN MICHAEL K. POWELL
CONCURRING IN PART AND DISSENTING IN PART

Re: *Verizon Petition for Forbearance from the Prohibition of Sharing Operating, Installation, and Maintenance Functions Under Section 53.203(a)(2) of the Commission's Rules*, CC Docket No. 96-149

I am troubled by the Commission's unwillingness to consider Verizon's request for forbearance from the ban on sharing operation, installation and maintenance functions ("OI&M"). In section 10 of the Act, Congress granted this Commission powerful and sweeping forbearance authority to address situations such as these. Nonetheless, my colleagues prefer addressing the continued viability of our OI&M rules in the context of a notice and comment rulemaking. I hope to conclude that rulemaking expeditiously.