



FEDERAL COMMUNICATIONS COMMISSION

September 12, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Dean Heller
United States Senate
4 Russell Courtyard
Washington, D.C. 20510

Dear Senator Heller:

This responds to your correspondence of July 12 and July 27, 2011.

The FCC has been undertaking the kind of regulatory reform called for in the recent Executive Orders since I arrived at the FCC. One of my first acts as Chairman was to create a Reform Task Force charged with identifying and eliminating outdated rules and other unjustified burdens on industry or the public, as well as identifying other steps to improve how the FCC functions. The results have been strong. We have eliminated more than 50 unneeded regulations and we are working toward eliminating 25 unnecessary data collections. I am committed to improving FCC processes and decisions in a manner that supports innovation, economic growth, and America's global competitiveness.

To ensure that FCC rules effectively and efficiently advance the Agency's statutory mission, I have also directed FCC staff to perform their responsibilities consistent with the Executive Orders on prospective and retrospective regulatory impact analysis. It is common practice for FCC rulemaking decisions to analyze the costs and benefits of proposed regulations. During my tenure, I have brought particular focus to this process, including by directing the early involvement of our Chief Economist in the analytical process of rulemakings. The involvement of the Agency's economists in the early stages of rulemakings has helped bring additional rigor to the FCC's analytical process.

The Commission's Open Internet Order followed enforcement of open Internet principles by a bipartisan Commission headed by Republican Chairman Kevin Martin. The Commission's *Open Internet Order* contains the type of market analysis and cost-benefit analysis contemplated in the Executive Orders. This market analysis was an integral part of the Commission's efforts to develop an open Internet policy that maximizes innovation and investment throughout the broadband economy, both in broadband networks and in the content, applications, services, and devices that rely on those networks. These efforts culminated in light-touch rules of the road that preserve Internet freedom and openness, increase certainty in the marketplace, and ensure that broadband providers can reasonably manage their networks and innovate with respect to technology and business practices. I am confident that their implementation is benefitting the nation, as evidenced by the billions of dollars in private investment both in broadband networks and applications in the U.S. in the wake of our Open Internet Order.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Handwritten signature of Julius Genachowski, consisting of a stylized 'J' and 'G' followed by a horizontal line and a period.

Julius Genachowski