

**STATEMENT OF  
COMMISSIONER GEOFFREY STARKS  
DISSENTING**

Re: *Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services*, WC Docket No. 19-308.

I wholeheartedly agree that the market has changed in the last twenty years. But that does not mean that all of our pro-competition rules are outdated and must be abandoned. I support a cautious approach to changing our unbundling and resale rules. We should be making these decisions based on rigorous data collection, reasoned analysis, and a careful look back at the results of the Commission's recent deregulatory actions.

This is an NPRM that proposes consequential changes to our communications market on the heels of sweeping changes we made just a few months ago. The companies affected by the forbearance decisions we made earlier this year are still grappling with how to move forward as competitors. And the NPRM's evidence of competition falls short in many places. For example, some of the NPRM's proposals turn on the prediction that wireless 5G technology will become a substitute for fixed broadband. I welcome all technological developments that would help solve internet inequality, but, as of now, that prediction lacks sufficient evidence to support the weight the NPRM puts on it. Moreover, the NPRM doubles down on our reliance on the assumptions of the Business Data Services Order. I continue to have deep concerns with the reasoning that the presence of *potential* competition in an area means that the area is completely competitive.

I also remain concerned about the impact this series of decisions will have on government users—and ultimately on taxpayers. The General Services Administration has made important strides in recent years toward increasing competition for government telecommunications contracts to promote better service offerings and lower prices. Our August 2019 forbearance decision made it more difficult for smaller competitors to compete for those contracts. Today's decision compounds that harm.

I am mindful of our statutory obligations when considering a request to remove regulations through forbearance. I also take seriously our obligation to rigorously apply those standards in a way that promotes competition and the public interest. At this time, I do not see an urgent need for the Commission to *sua sponte* propose a further rollback of the pro-competition tools the 1996 Act created. We are still working to fully understand the competitive consequences of our previous forbearance orders and should propose further deregulatory action only with that information in hand. I respectfully dissent, and I thank the staff of the Wireline Competition Bureau for their work on this item.