

**STATEMENT OF  
COMMISSIONER DEBORAH TAYLOR TATE**

Re: *Petition of ACS of Anchorage, Inc. Pursuant to Section 10 of the Communications Act of 1934, as Amended, for Forbearance from Sections 251(c)(3) and 252(d)(1) in the Anchorage Study Area, WC Docket No. 05-281*

Today, we recognize the significant facilities-based competition that exists in the Anchorage market by forbearing from the unilateral network sharing obligations of the incumbent local exchange carrier (LEC) Alaska Communications Systems (ACS). In many ways, the fierce competition throughout Anchorage between ACS and its primary competitive rival General Communications Inc. (GCI) epitomizes the benefits of local significant network investment and facilities-based competition made possible by the market-opening 1996 Act.

I am pleased that today's Order takes seriously the pro-competitive and deregulatory mandates in section 10 of the Act, and applies that statutory standard to the specific market facts to facilitate market-based solutions. When sustainable competition arrives, we must exercise our regulatory humility and transition markets away from the constant touch of government regulation, such as price-setting. Today's Order takes a carefully balanced approach, providing regulatory relief to the incumbent ACS in areas in which GCI has captured significant market share and is capable of serving a significant proportion of the consumers in the market over its own network, but denying relief where the state of facilities-based competitive entry does not yet warrant regulatory forbearance. Accordingly, I support today's Order removing legacy regulations where robust competition has rendered those regulations no longer necessary to maintain a competitive market and protect consumers.