

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board (CC Docket No. 80-286)

I agree with today's decision to extend the interim freeze of the Commission's Part 36 separation rules in order to provide stability to carriers as the Joint Board considers comprehensive reform of the jurisdictional separations process. I also support the Commission's decision to seek further comments on the jurisdictional separation process as much has changed with regard to network operations and telecommunications services since the Commission first initiated the separations freeze in 2001.

Congress directed the Commission and the Joint Board to work cooperatively to determine the methods under which incumbent telephone carriers apportion their regulated costs between interstate and intrastate jurisdictions. It is disappointing that the Commission was unable to overhaul the system in the last five years, and equally disappointing that we had to short circuit the ordinary process in order to issue this decision before the interim freeze expired on June 30. It is generally the practice of the Commission to refer matters under the Joint Board's jurisdiction to the Board to enable the Board to seek comment and issue a thorough recommendation to the Commission. Given the important role of the states and the value they bring to this process, I would have preferred to have had the benefit of even more extensive state input prior to reaching today's decision.

It is imperative that the Joint Board be given ample opportunity to participate and make recommendations to the Commission in the course of a comprehensive review of the process so that when the Commission moves ahead we will have the benefit of a full top-to-bottom recommendation from our state partners on the Joint Board.