

**CONCURRING STATEMENT OF
COMMISSIONER JONATHAN ADELSTEIN**

Re: Assessment and Collection of Regulatory Fees for Fiscal Year 2007, Report and Order and Further Notice of Proposed Rulemaking, MD Docket No. 07-8

As in years past, I must concur to our Regulatory Fee Order because I remain troubled with the Commission's inability and reluctance to consider changes that occur from time to time in the costs of regulatory fees for individual services. It is particularly disappointing that the Commission misses an opportunity to address in this Further Notice the regulatory fees paid by submarine cable operators, who have argued that the current fee structure results in certain operators paying fees that can approach the wholesale prices they receive from their consumers. Given that these operators have pending a petition for rulemaking before the Commission, it is high time for the Commission to seek comment on these issues and is regrettable that we do not do so here. I encourage the Commission to continue to improve its regulatory fee assessment processes so that in the future we are more able to make adjustments as appropriate.