

**STATEMENT OF
COMMISSIONER DEBORAH TAYLOR TATE**

RE: Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services, WC Docket No. 06-125; Petition of BellSouth Corporation for Forbearance Under Section 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services, WC Docket No. 06-125 Memorandum Opinion and Order.

In this decision we focus on the state of the enterprise broadband Internet access marketplace. These services are high-speed, high-volume services that large business customers use primarily to transmit large amounts of data among multiple locations—services that are vital for multi-national businesses to compete in this country and around the globe and keep America’s great economic engine humming.

An integral part of the pro-competitive, de-regulatory national policy framework established by Congress in the 1996 Act is the section 10 forbearance provision. As providers of voice, broadband, and video services increasingly compete in one another’s markets, the Commission has taken a number of important steps aimed at easing the regulatory requirements for broadband facilities and services on the path to competition. We now take another important step and further level the playing field and grant relief to certain providers of broadband services from certain legacy regulatory obligations. In taking this step, we recognize the facilities-based competition that exists in the business broadband Internet access market. I support moving away from regulation where the record shows that a competitive market exists, rendering those regulations unnecessary.

While it can be beneficial to eliminate regulation when appropriate, this decision takes a carefully balanced approach, providing regulatory relief where appropriate, allowing these carriers to respond to marketplace demands efficiently and effectively, but ensuring that less intrusive or less costly regulation remains that protects consumer interests and competition. Importantly, we preserve critical public policy and consumer protection obligations related to 911, emergency preparedness, law enforcement access, privacy requirements, and access for the disabled, and universal service.