

**STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN**

*Re: Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act of 1934, as Amended, WC Docket No. 07-267, Notice of Proposed Rulemaking (Nov. 27, 2007).*

The Commission's recent history on forbearance petitions – including failing to even issue an order addressing the merits of a sweeping petition – is not one to be envied. This approach has cast open the floodgates for industry-filed petitions, inviting parties to make end runs around the Congressional framework for telecommunications services.

I am pleased that we seek comment in this Notice on procedural rules to guide the Commission in its consideration of forbearance petitions. As I've often stated, Congress has given the Commission a powerful tool in our Section 10 forbearance authority, but the Commission must wield it responsibly. If the statute were not clear enough, numerous Members of Congress have also expressed concern about the Commission's use of its forbearance authority. I have repeatedly urged the Commission to adopt procedural rules for forbearance petitions, such as requiring parties to include in their original petitions detailed information about the services subject to the petition and a detailed analysis of how such proposals satisfy the statutory test. Procedural rules can provide transparency and predictability to all interested participants and can restore confidence in Commission processes, so I am pleased that we are taking this step towards a more rigorous framework and I look forward to working with my colleagues to complete this proceeding as expeditiously as possible.