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**STATEMENT OF  
COMMISSIONER ROBERT M. MCDOWELL**

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

By all accounts, most Members of Congress, most proponents of individual forbearance petitions, most opponents of forbearance petitions, and a majority of the FCC all agree that the forbearance petition process is flawed and should be fixed. Only Congress can amend Section 10, which is simple and clear in its mandate; but the Commission can take steps to improve its implementation. And that is what we are doing today by initiating this rulemaking.

Among the important issues raised for public comment in the *Notice* are: the specificity required for relief requested by the petitioner; the level of justification required for grant of relief; and the necessity for affirmative Commission action granting or denying a petition. It is also appropriate to examine the effect that forbearance petitions have on our broader rulemaking responsibilities. I look forward to reviewing the comments filed in this proceeding and to evaluating our forbearance regulations in a timely manner so that we can implement rules that we find are necessary to improve the forbearance process. I thank the Chairman and the Bureau for bringing this item forward today.