

**STATEMENT OF
ACTING CHAIRMAN MICHAEL J. COPPS**

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*

I have long bemoaned the ills of a forbearance process gone awry, wherein industry is able to drive the Commission's agenda through a time-consuming and resource-heavy process that ranges far beyond the intent of our authorizing statute. Forbearance is, of course, a part of the Communications Act and substantive changes to it would require Congressional action. Today, however, the Commission does the next best thing, which is to put in place procedures that will hopefully result in forbearance proceedings that are more transparent, fair, and protective of the use of limited Commission resources and also more in spirit with the limited purposes for which it was designed.

Today's Order makes clear that a petitioner must present its case with specificity and clarity from the get-go; that the burden of proof falls squarely and properly on the petitioner; and that a petitioner, without Commission authorization, is no longer able to withdraw its petition at the end of the process if it doesn't look like it is going to get its way. While I don't expect that these rules will end the Commission's consideration of forbearance petitions, I am hopeful that they will inject some rationality into the process and greatly reduce the procedural gamesmanship that we've too often seen in the forbearance proceedings of the past.

These changes are good for numerous reasons not the least of which is that they establish reasonable parameters for the forbearance process, promote sounder policy-making, and hopefully provide significant savings of human and financial resources for the Commission, which has expended far too many dollars and hours dealing with matters that should have been dealt with elsewhere or, occasionally, not at all.