

**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*

I am pleased to support today's action to bring predictability and fairness to our section 10 forbearance reviews. This order will benefit everyone with a stake in these important proceedings, including the consumers who depend on a reasoned, deliberate, and timely determination from the Commission.

Among the many steps today's order takes to improve our forbearance review, I am particularly pleased that future petitioners will have to state clearly what relief they seek, including the rules they seek forbearance from and the services at issue. They must also – at the beginning of the process - supply all relevant evidence that supports their case, and identify any evidence that might be in the hands of other parties. This seems basic, and it is. I am also pleased that petitioners will now need Commission approval if they wish to withdraw petitions more than ten business days after the date for reply comments. Recent experience has shown that an unlimited ability to withdraw petitions squanders Commission and private resources.

Amazingly, the Commission has never adopted detailed procedures to implement section 10. Because of this inaction, we have seen less-than-complete petitions, unpredictable processes, and last minute decisions and non-decisions. That is no way to give effect to Congress' intent. I have repeatedly urged the Commission to adopt procedural rules for forbearance petitions. So I want to thank Chairman Capps for setting us and future Commissions on the right course. All of us – especially consumers who are affected most when we forbear – owe him our thanks.