

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) to Accelerate Investment in Broadband and Next-Generation Networks*, WC Docket No. 18-141; *2000 Biennial Review Separate Affiliate Requirements of Section 64.1903 of the Commission's Rules*, CC Docket No. 00-175.

Section 10 of the Communications Act is powerful. In it, Congress gave the Federal Communications Commission the right to forbear from key provisions of the law that apply to telecommunications carriers and telecommunications services. To do so, the agency needs to find that the provisions at issue are not needed to ensure that service is just and reasonable; that enforcement is not necessary to protect consumers; and that forbearance itself is in the public interest. Under the statute, we can do so on our motion or upon petition. In the instant case, we have a petition. Petitions need to be resolved within one year, although the law provides the opportunity for an extension of 90 days. If the FCC fails to do its job and resolve the petition within this time, under the statute it is deemed granted.

I think the agency needs to take this duty seriously. Here, we begin the Section 10 process with a petition that seeks forbearance from a broad range of duties that the statute imposes on incumbent carriers. In the decision before us, we grant forbearance from some of these duties, including the requirement to offer long distance service through an affiliated entity and file certain provisioning reports. I support this order. That is because I believe at this time it removes redundant duties and outdated filing obligations.

But take note, because we do not address the heart of this Section 10 forbearance petition today. Instead, we save for another day the most complex issues before us, including forbearance from unbundling and resale obligations that are designed to foster competition. I fear that this is intentional because if the FCC does not act on the remainder of this petition by August 2, the issues we do not address here will be deemed granted under the law. In fact, this kind of thing has happened before. So let me lay down a marker. I believe the FCC needs to resolve the outstanding issues in this petition with a decision. Instead of leaving the remainder of the petition to languish and take effect as a matter of law, I believe we need to vote on it.