

## Dingell, Markey on D.C. Circuit Court Decision to Deny Verizon Forbearance Appeal

Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, and Rep. Edward J. Markey (D-MA), Chairman of the Subcommittee on Telecommunications and the Internet, issued the following statement today.

### NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Washington, D.C. — Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, and Rep. Edward J. Markey (D-MA), Chairman of the Subcommittee on Telecommunications and the Internet, issued the following statement today:

“The Court found what we already knew: On the critical matter of protecting consumers, the FCC failed to do its job. The decision casts the spotlight on the need to reform the forbearance process to ensure written opinions and to eliminate the ability of a forbearance petition to be ‘deemed granted’ simply by agency inaction.”

On October 22, Dingell and Markey introduced legislation to correct a procedural failure in the forbearance process at the Federal Communications Commission (FCC). The proposed bill, entitled the Proper Forbearance Procedures Act of 2007, would remove the ‘deemed granted’ language from Section 10 of the Communications Act of 1934, as amended.

Section 10 of the Communications Act permits a telecommunications carrier to request the FCC to grant forbearance, or exempt the company from certain statutory or regulatory requirements. The FCC may grant forbearance if it finds that doing so is in the public interest. If the FCC does not act within a set time frame, the petition seeking forbearance is “deemed granted” as a matter of law. As a result, many of the FCC’s forbearance decisions are inconsistent or do not include explanations for the Commission’s action.

For more information, or to view the text of the bill, please visit <http://energycommerce.house.gov>.

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Prepared by the Committee on Energy and Commerce

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