



WALTER B. MCCORMICK, JR.
President and Chief Executive Officer

February 2, 2012

Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U. S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Upton:

On behalf of the United States Telecom Association, I want to express our support for the Committee's attention to the importance of regulatory reform to our nation's economic recovery and full employment goals. In that regard, we applaud the Committee for scheduling a markup of H.R. 3309, the *Federal Communications Commission Process Reform Act of 2011*, and H.R. 3310, the *Federal Communications Commission Consolidated Reporting Act of 2011* – bills that will assure transparency in FCC regulatory procedures and eliminate the need to file costly and burdensome reports that are no longer necessary in light of the broad consumer choice and vigorous competition that characterizes the 21st Century communications marketplace of today.

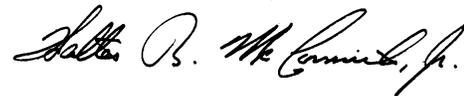
In providing for streamlined regulatory procedures and increased regulatory certainty, we believe that the bills before the Committee are consistent with the regulatory reform goals announced by the President in his recent State of the Union message to the Congress, and that they complement reform initiatives undertaken by FCC Chairman Julius Genachowski. These positive FCC reform initiatives have sought to spur broadband deployment by facilitating access to poles at just and reasonable rates, by relying on competition rather than regulation to discipline dynamic markets, and by engaging in a data-driven fact-gathering process in assessing the state of the market for high-capacity services. As Communications Subcommittee Chairman Greg Walden has indicated, the bills being scheduled for markup Tuesday will ensure that best practices become a part of statute, that transparency will not depend upon who is serving as Chairman, and that there will be consistency of application and predictability among administrations.

Finally, we hope that the Committee's action on these two important measures will be but a first step toward a broader initiative to update the nation's laws to reflect the broadband marketplace of today. The Commission's current structure and regulatory activities mirror its antiquated authorization statute – a statute focused primarily on separate and distinct analog communications technologies rather than the converged digital services, equipment and applications of today. At a time when America seeks to lead the world in investment, job creation, and in building a robust 21st Century information-based economy, the Commission is operating under a 20th Century narrowband statute – one that is modeled on a 19th Century regulatory regime for steam railroads. In this regard, it is ironic that the very model itself was

abandoned by the Congress more than 30 years ago when it was determined to be responsible for inhibiting investment in transportation infrastructure. If our nation is to meet its broadband investment, deployment and adoption goals, an update to our laws is necessary.

Thank you, Mr. Chairman, for the opportunity to comment on these important measures. We look forward to continuing to work with the Committee on initiatives to promote economic growth and job creation.

Sincerely,

A handwritten signature in cursive script that reads "Walter B. McCormick, Jr.".

Walter B. McCormick, Jr.

cc: The Honorable Henry Waxman
The Honorable Greg Walden
The Honorable Anna Eshoo