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HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

December 21, 2011

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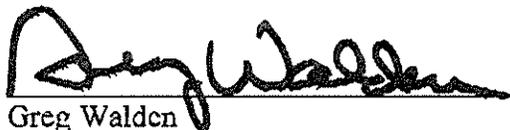
The Honorable Julius Genachowski
Chairman
Federal Communications Commission
Room: 8-B201
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

Thank you for responding this past summer to our June 3, 2011 letter regarding the Commission's workload. As we suggested in that letter, we are interested in the work the Commission has done since July, especially with regard to the Commission's backlog of petitions, complaints, and license applications.

We have attached to this letter a series of questions in that vein. We respectfully request that you provide a written response no later than close of business Monday, January 9, 2012. If you have any questions, please don't hesitate to contact Mr. Neil Fried or Ms. Stacy Cline at (202) 225-2927.

Sincerely,



Greg Walden
Chairman
Subcommittee on Communications
and Technology



Cliff Stearns
Chairman
Subcommittee on Oversight
and Investigations

cc: The Honorable Henry A. Waxman, Ranking Member

Letter to the Honorable Julius Genachowski

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The Honorable Anna G. Eshoo, Ranking Member,
Subcommittee on Communications and Technology

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations

Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn

Attachment

ATTACHMENT

There is growing consensus that Federal Communications Commission (FCC) processes need to be reformed. Under both Democratic and Republican chairmen, the FCC has fallen into practices that weaken decision-making and jeopardize public confidence. The data reported to the Committee on Energy and Commerce (Committee) in July 2011 demonstrated that there have been substantial improvements in the handling of the Commission's workload since Chairman Genachowski joined the Commission. Nevertheless, the Commission still faces significant challenges in its work, including a significant backlog of unanswered petitions and unheard consumer complaints. For example, the Commission had 5,328 petitions, more than a million consumer complaints, and 4,185 license applications that had been sitting for more than two years as of July 2011. This letter seeks updated data regarding the FCC's current workflow.

1. To help the Committee better understand the FCC's current workload and backlog, please provide the total number of items currently pending. Please include all petitions, applications, complaints, and requests pending before the FCC, including petitions for waiver, petitions for stay, petitions for declaratory ruling, applications for license renewal, applications for transfer of lines, applications for review, requests for review, etc. Please categorize these items by the Bureau primarily responsible for action and the amount of time that has elapsed since each item was filed with the FCC using the following table.

	< 6 mos.	6 mos. – 2 yrs.	2 yrs. – 5 yrs.	> 5 yrs.
Consumer & Gov't (CGB)				
International (IB)				
Media (MB)				
Public Safety (PSHSB)				
Wireless (WTB)				
Wireline (WCB)				
Other (OET, OSP, etc.)				

2. License applications, and especially renewals, are often a routine process. How many license applications and renewals are currently pending at the Commission? Please categorize these items by the Bureau primarily responsible for action and the amount of time that has elapsed since each item was filed with the FCC using the following table.

	< 6 mos.	6 mos. – 2 yrs.	2 yrs. – 5 yrs.	> 5 yrs.
Consumer & Gov't (CGB)				
International (IB)				
Media (MB)				
Public Safety (PSHSB)				
Wireless (WTB)				
Wireline (WCB)				
Other (OET, OSP, etc.)				

3. We understand that the Commission receives thousands of complaints from consumers each year. We are interested in how the Commission processes these complaints, and the subject matter of these complaints. Please provide the number of complaints currently pending before the FCC. Please categorize these items by the Bureau primarily responsible for action, the amount of time that has elapsed since each item was filed with the FCC, and the subject matter of the complaint using the following tables.

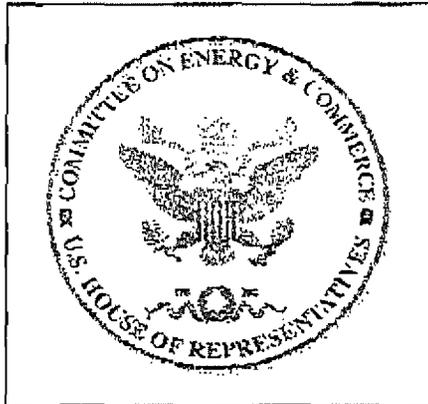
	< 6 mos.	6 mos. – 2 yrs.	2 yrs. – 5 yrs.	> 5 yrs.
Consumer & Gov't (CGB)				
International (IB)				
Media (MB)				
Public Safety (PSHSB)				
Wireless (WTB)				
Wireline (WCB)				
Other (OET, OSP, etc.)				

	< 6 mos.	6 mos. – 2 yrs.	2 yrs. – 5 yrs.	> 5 yrs.
Indecency				
Indecency—Safe Harbor				
Indecency—Cable				
Junk Fax				
Slamming				
TCPA				

4. By definition, a petition for reconsideration or an application for review asks the FCC to reconsider a decision it has already made. As such, the FCC should be able to review and act on such petitions and applications relatively quickly. Moreover, parties often cannot obtain judicial review of an FCC decision while a petition for reconsideration or application for review is pending. How many petitions for reconsideration and applications for review are currently pending at the Commission? Please categorize these items by the Bureau primarily responsible for action and the amount of time that has elapsed since each item was filed with the FCC using the following table.

	< 6 mos.	6 mos. – 2 yrs.	2 yrs. – 5 yrs.	> 5 yrs.
Consumer & Gov't (CGB)				
International (IB)				
Media (MB)				
Public Safety (PSHSB)				
Wireless (WTB)				
Wireline (WCB)				
Other (OET, OSP, etc.)				

5. How many dockets are currently open at the Commission? How many of these dockets have pending items in them that the Commission has not yet addressed? How many dockets have been inactive for more than six months? Two years? Five years?



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To: Mr. Greg Guice, Director of Legislative Affairs, Federal Communications Commission for

Chairman Julius Genachowski, Federal Communications Commission

From: Rep. Fred Upton, Chairman, Committee on Energy and Commerce

Fax: (202) 418-2806

Date: December 21, 2011

Phone:

Pages: 6 (Including cover)

Notes: