

SUMMARY OF REMARKS BY COMMISSIONER AJIT PAI BEFORE THE FEDERAL COMMUNICATIONS BAR ASSOCIATION

On February 21, 2013, Commissioner Ajit Pai of the Federal Communications Commission delivered remarks before a luncheon of the Federal Communications Bar Association. During his address, he emphasized the importance of the Commission being as nimble as the industry it oversees so that regulatory inertia does not impede technological progress or deter innovation. He then offered a number of proposals for improving the FCC's internal procedures and allowing the Commission to act more efficiently.

Summary of Proposals

Commission Action

- Handle applications for review by instituting something similar to the U.S. Supreme Court's *certiorari* process.
 - If no Commissioner requests consideration of an application for review within 90 days, then the Bureau's decision would be automatically affirmed.
- Expand the categories of small transactions that qualify for streamlined treatment, including mergers of geographically adjacent rural carriers.
- Circulate draft order addressing forbearance petitions at least four weeks before the one-year statutory deadline and require a vote of the full Commission to extend that one-year deadline.
- Set internal deadlines.
 - Codify in the Commission's rules the 180-day shot-clock for transactional review.
 - Institute a nine-month deadline for acting on petitions for reconsideration and applications for review.
 - Establish a six-month deadline for acting on waiver requests.
- Create an FCC Dashboard on the Commission's website to track the FCC's performance on key metrics like waiver requests, license renewal applications, and consumer complaints.

Congressional Action

- Consolidate the Commission's reporting obligations to Congress.
- Prohibit the Commission from adopting new rules based on Notices of Proposed Rulemaking that are more than three years old.
- Modify the Sunshine Act to allow for more collaborative and efficient Commission decision-making.
- Modernize statutory provisions addressing application fees.