

**STATEMENT OF COMMISSIONER AJIT PAI,  
APPROVING IN PART AND DISSENTING IN PART**

Re: *Section 257 Triennial Report to Congress, Identifying and Eliminating Market Entry Barriers for Entrepreneurs and Other Small Businesses.*

Section 257 of the Communications Act requires the Commission to report to Congress every three years on the regulations it has prescribed to eliminate “market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services, or in the provision of parts or services to providers of telecommunications services and information services”<sup>1</sup> as well as any such statutory barriers that the Commission recommends be eliminated.<sup>2</sup>

In this report, the Commission touts many actions that I agree have been helpful to small businesses, including AM radio revitalization and accelerating wireless infrastructure deployment. On the other hand, it also discusses many initiatives that I believe have harmed, not helped, small businesses. For example, the Commission’s *Title II Order* disproportionately burdens smaller broadband providers that do not have the same resources as their larger competitors to comply with additional regulation. As such, I fail to see how Title II regulation eliminated a barrier to entry into the broadband marketplace. To the contrary, it erected an additional barrier to entry. As I’ve said before, monopoly rules designed in the monopoly era will inevitably move us in the direction of monopoly, not additional competition.

For these reasons, I am voting to approve in part and dissent in part.

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<sup>1</sup> 47 U.S.C. § 257(a).

<sup>2</sup> *See* 47 U.S.C. § 257(c).