

Separate Statement of Commissioner Harold W. Furchtgott-Roth

In re: Notice of Proposed Rulemaking

**Implementation of Section 255 of the Telecommunications Act of 1996 --
Access to Telecommunications Service, Telecommunications Equipment, and
Customer Premises Equipment by Persons with Disabilities.**

Today we initiate a proceeding to adopt rules to implement yet another important section of the Telecommunications Act of 1996. I support this action.

In this proceeding, the Commission will develop new rules to enable persons with disabilities to participate in the telecommunications revolution that has become such an important facet of our society and economy. I look forward to adopting these rules later this year.

My support for new regulations may be somewhat surprising, for I have the well-deserved reputation of one who often favors *de*-regulation. A more accurate characterization of my views, however, is that I favor *rational* regulation. This rationality is achieved only when the benefits of our rules significantly outweigh the costs of our rules.

Undoubtedly, the new rules we eventually adopt in this proceeding will impose some costs on industry and consumers. Nevertheless, I am confident that, in meeting the requirements of the Telecommunications Act, we will adopt rules that have benefits that significantly exceed these costs. In addition, this particular area of regulation may well be a rare instance of where the involvement of federal government introduces efficiencies unlikely to develop in the market. Thus, we have here an opportunity for rational regulation and an appropriate role for the federal government.

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