

**STATEMENT
OF
COMMISSIONER JAMES H. QUELLO
BEFORE THE
HOUSE COMMERCE COMMITTEE
SUBCOMMITTEE ON TELECOMMUNICATIONS AND FINANCE
MARCH 27, 1996**

Thank you, Chairman Fields and Members of the Subcommittee. I am pleased to be appear before you today as you inquire about the work of the FCC in general, and specifically about our ongoing efforts to implement the Telecommunications Act of 1996.

I would first like to express the appreciation this battle-scarred veteran FCC Commissioner has for your magnificent achievement in crafting and in passing the 1996 Act. From my perspective of over twenty years on the Commission I can attest to how frustrating it was to watch technology explode, new industries appear, and markets change, and yet not have the ability to adapt the Commission's regulatory policies accordingly. The 1996 Act gives us the deregulatory, procompetitive framework we need to allow regulation to adapt to reality and allow the public to achieve the maximum benefit from telecommunications technologies. As a Commissioner who has long put primary emphasis on reality-based regulation, it is a day I feel privileged to have seen arrive. I look forward to assisting with the implementation of the 1996 Act over the course of the next year as the capstone of a long and gratifying career on the FCC.

In terms of my approach towards implementing the 1996 Act, President Franklin Roosevelt summed up my attitude pretty well when he remarked that, in administrative agencies, common sense and a forward-looking approach must take precedence over technical legalism and a view to the past. To me, this means implementing the Act consistent with both its letter and intent as Congress expressed it. It means capably considering the issues Congress has put before us and their reasonably-anticipated consequences -- no more and no less. To paraphrase Chairman Hundt's guiding principle of "Read the law, study the economics, and do the right thing," I would say that, in implementing the 1996 Act we should read the law; study the intent; and do what it says.

Common sense and a forward-looking approach must also guide the Commission's other ongoing policymaking efforts. But in addition to this general perspective, another indispensable element of reasoned decisionmaking is timeliness. Simply put, major rulemakings that are ripe for decision ought to be decided promptly, and licenses that are ready for grant ought to be granted promptly. There are times when the ablest of policymakers, with the best of intentions, can produce the worst of results through inaction as well as through wrong action.

I stated last January that the pending childrens television rulemaking proceeding falls into this too-long deferred category. Although perhaps the most visible, it is but one example of several rulemaking and licensing proceedings that can and should be resolved promptly to bring certainty to the affected industries and to allow us to devote our full attention to the all-important task of implementing the new Act.

Let me close on a personal note. I would like to take this opportunity to express my gratitude and best wishes to my colleague, Commissioner Andrew Barrett, as he prepares to start a new phase of his outstanding career. I will miss Andy's breadth of knowledge, particularly in the common carrier matters so pivotal to the 1996 Act, his pragmatism, and his generosity in working with me through the years on hundreds of issues, even on those comparatively few in which we did not ultimately agree. Goodbye and good luck, my friend.