

ALERT

TAC Seeks Comment on Potential Reform of FCC Technical Rules

August 31, 2017

The Federal Communications Commission (FCC), on behalf of the agency's Technological Advisory Council (TAC), issued a Public Notice inviting comments and answers to a series of questions concerning whether and, if so, how to amend the Commission's technical regulations and the process by which they are developed. Through this technical inquiry, the TAC aims to remove unnecessary regulatory burdens that may restrict innovation and technological development in the communications industry, while ensuring adequate protections for existing operations. Comments are due October 30, 2017.

The Commission has tasked the TAC with identifying FCC technical rules that should be amended or removed considering continuous advancements in communications technologies. To assist in the development of its recommendations, the TAC has issued a technical inquiry seeking comment on:

- Regulations that should be removed, because they have become outdated, inhibit innovation, or would be better handled by the involved parties;
- Regulations that should be retained, because they promote competition, protect incumbents from interference, regulate unlicensed frequencies, are necessary to comply with international agreements, or support the purpose of the FCC;
- Regulations that should be modified, because technical reporting requirements are too burdensome, data contained in the reports are no longer used, or existing regulation does not fully apply to new technology;
- Processes to resolve competing interests or mediate party conflicts; and

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Practice Areas

Telecom, Media & Technology

- Regulations that can be streamlined.

In addition to the above-listed questions, the TAC requests comment on ways to enhance the regulatory process used to develop technical rules. The TAC observes, for example, that multistakeholder groups could supplement communication service rules established by the FCC, and requests input on:

- How the FCC should approach coordination between regulatory and standards body activities, including how to address the requirement for public availability of documents related to federal rules; and
- How to improve the Commission's work processes, including ways the FCC could leverage existing efforts by multistakeholder groups to develop technical requirements, systems, and procedures for implementing federal regulatory requirements.

Should you have questions or are interested in submitting comments, please contact any of the above-listed individuals or the attorney with whom you regularly work.