

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Section 43.62 Reporting Requirements for U.S. Providers of International Services*, IB Docket No. 17-55; *2016 Biennial Review of Telecommunications Regulations*, IB Docket No. 16-131.

After a four-year absence,¹ it is nice to see Section 11 reviews resurrected at the Commission.² For whatever reason, I couldn't seem to get the last Commission to expedite the review process or even the approval process for issuing the simple Public Notice to initiate the review. Despite that bizarre lack of interest and focus, I thank the staff of the International Bureau for suggesting, in response to comments filed in their biennial review docket, that we eliminate the Traffic and Revenue Report and potentially streamline the Circuit Capacity Report.

In preparing this Notice, I appreciate the effort to quantify the costs of these reports using a combination of estimates provided in a past Paperwork Reduction Act (PRA) filing and information about the actual number of reports filed. While not perfect by any stretch of the imagination, at the Notice stage, it does provide some baseline for purposes of comments. It should shock no one to learn that the Commission frequently underestimates the costs of its reporting requirements. In order to help rectify this, I hope that commenters will provide information regarding the true burden of these reports.

The quantitative analysis of potential benefits contained within this document, however, is essentially absent. But this information is necessary as the reason for retaining the Circuit Capacity Report is that the "benefits appear to exceed the costs of collecting this data."³ Frankly, I am not convinced, at this time, that the Commission should retain this annual reporting requirement. If the information is needed to evaluate the state of competition in the case of a transaction, it appears that we could obtain this information upon request, when necessary. If national security agencies use this information to protect and secure this infrastructure, I will want to ensure that they do not have or cannot get access to this information through other means, making this report unnecessary. And, finally, maintaining such a report for the purpose of collecting regulatory fees is not a convincing argument for keeping this requirement. It is apparent that more work needs to be done here. Generally, I hope that commenters take the time to provide thorough analyses of the reports' benefits, or lack thereof.

In this same vein, this document should be only a first step of many in reducing the paperwork burdens that we place on our regulated entities. For instance, today's item points out that Commission's PRA filing asserts that each filer spends a little more than 150 hours preparing the Traffic and Revenue Report,⁴ but one commenter asserts that, in truth, it spent nearly twice as much, or 300 hours.⁵ While this

¹ *2012 Biennial Review of Telecommunications Regulations*, CG Docket No. 13-29, EB Docket No. 13-35, IB Docket No. 13-30, ET Docket No. 13-36, PS Docket No. 13-31, WT Docket No. 13-32, WC Docket No. 13-33, Public Notice, 28 FCC Rcd 11255 (2013); *Commission Seeks Public Comment in 2012 Biennial Review of Telecommunications Regulations*, CG Docket No. 13-29, EB Docket No. 13-35, IB Docket No. 13-30, ET Docket No. 13-36, PS Docket No. 13-31, WT Docket No. 13-32, WC Docket No. 13-33, Public Notice, 28 FCC Rcd 1556 (2013).

² 47 U.S.C. § 161.

³ NPRM, *supra* ¶ 21.

⁴ *Id.* ¶ 16 (stating that an additional 50 hours is needed if a revision needs to be filed).

⁵ *Id.* ¶ 12 & n.32 (citing Letter from Amy L. Alvarez, Assistant Vice President, International External & Regulatory Affairs, AT&T Services, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission, IB Docket Nos. 16-131, 17-55 (Mar. 21, 2017); Reply Comments of AT&T Services, Inc., IB Docket Nos. 16-131 (Jan. 3, 2017)).

is just a drop in the bucket when you consider that the Commission's mandated information collections come to a combined total of about 73 million hours annually (and this is most likely underestimated), it is at least a start.

I look forward to working with my colleagues and Commission staff to find other information collections that can be combined, shortened or altogether eliminated.