**OFFICE OF ENGINEERING AND TECHNOLOGY ANNOUNCES TECHNOLOGICAL**

**ADVISORY COUNCIL (TAC) TECHNICAL INQUIRY INTO THE REMOVAL OF REGULATIONS**

**ET Docket No. 17-xxx**

**Comment Deadline: October 20, 2017**

The FCC’s Technological Advisory Council (TAC), an advisory group to the FCC operating under the Federal Advisory Committee Act, is investigating FCC regulations and the processes by which they are developed to determine if increased efficiency and decreased regulatory burden can be realized while still maintaining the purposes and responsibilities of the FCC. In this public notice, the Office of Engineering and Technology (OET) announces the TAC’s public inquiry, seeking comments and answers to questions below for the TAC about the regulatory process.

**TAC Removing Regulations Technical Inquiry**

The FCC Rules and Regulations (47 CFR) consist of thousands of pages of text that have been compiled over decades. The rules were written to support the communications laws passed by Congress, starting with the Communications Act of 1934 and its amendments, the Telecommunications Act of 1996, as well as laws apart from the Communications Act that apply to the purview of the FCC. Such a vast amount of text is difficult to keep current, particularly with the rapidly changing technology in communications.

To more effectively maintain its rules the FCC has asked its Technological Advisory Council to help identify rules that are no longer valid or should be changed to be made more pertinent to the current communications landscape. The TAC is made up of a group of technological experts in various forms of communications who advise the FCC in technical matters. The TAC is issuing this Technical Inquiry to garner the opinions of users and purveyors of communications technology who are affected by the FCC Rules and Regulations.

There are many reasons that rules should be removed or changed. Some technical rules, which were designed to facilitate the coexistence of various users within the spectrum, may no longer be applicable to modern communications equipment. Rules that describe the operation of certain technologies may no longer be necessary as those technologies cease to be used. Data reporting requirements, which help the FCC to determine how effectively the communications environment is being utilized and also how communications entities are complying with the current laws, may no longer be necessary. Some communications users may feel that existing regulations protect their operations and should not be removed.

In addition to comments on specific regulations, we would like to receive opinions about how the regulatory process can be made more efficient and timely. Future development of communication services rules need not be developed solely by the FCC. Inclusion of external groups may also be a viable way to develop and maintain those rules. For instance, multi-stakeholder groups, such as the Wireless Innovation Forum, can be used to manage the technical rules for supporting new services.

As a body of technical experts, the TAC plans to concentrate on issues that are of a technical nature. Many existing regulations that deal, for instance, with money or equal access issues would not be considered to be technical and comments on such issues would not be appropriate responses to this Technical Inquiry. We expect to receive responses from people who must follow regulations to operate their businesses and people who benefit from the existence of regulations. Regulations that exist to provide Consumer Protection and those that facilitate and protect Public Safety communications are also expected to be discussed.

The TAC is looking for responses to one or more of the following categories. For every proposed change, please reference specific rules that would be affected and discuss the rationale behind it:

1. Regulations that should be removed because
   1. they have become outdated.
   2. they inhibit innovation.
   3. they would be better handled by the involved parties.
   4. What would replace such regulations if they are removed?
2. Regulations that should be retained because
   1. they protect incumbents.
   2. they regulate unlicensed frequencies.
   3. they are necessary to comply with international agreements.
   4. they support the purpose of the FCC.
3. Regulations that should be modified because
   1. reporting requirements are too burdensome:
      1. Automate existing reporting.
      2. Leverage other data or reporting from third parties or organizations.
      3. Data contained in the reports are no longer used.
      4. Only technical reporting should be discussed.
   2. existing regulation does not fully apply to new technology.
4. Processes to resolve competing interests
   1. Is there a better way to mediate conflicts between different parties?
      1. Existing process mediated by the FCC works slowly.
      2. Current process requires all parties to commit many resources.
   2. Potential for a ‘body’ other than the FCC to host this role.
      1. Delegate certain conflicts to other ‘external bodies.’
      2. Are there legal impediments to doing this?
   3. Solicit examples
      1. What currently does work?
      2. What currently does not work?
      3. How would a new process work?
5. Regulations that can be combined:
   1. General principles that apply to all forms of a type of communication.
6. Regulatory Process to Improve Development of Regulations for New Services
   1. Coordination between Regulations and Standards Bodies or Industry Consortia
      1. Should regulations be written by leveraging industry standards?
      2. How should the regulatory process (which must be available to all parts of our society) be tied to the standards update process?
      3. How can regular changes to standards upon which regulations are based be propagated to the rule making processes that are required when regulations are changed?
   2. Public-Private Partnerships
      1. How can they be designed so all affected parties in society are included in the decision making?

**Procedures**

Interested parties may file comments up until the comment deadline indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

* Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: http://fjallfoss.fcc.gov/ecfs2/.
* Paper Filers: Parties that choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.
* All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
* Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
* U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, please contact TAC Removing Regulations working group representative Greg Lapin, ARRL (GLapin@arrl.org) or TAC working group FCC liaison Walter Johnston, FCC Office of Engineering & Technology ([Walter.Johnston@fcc.gov](mailto:Walter.Johnston@fcc.gov))