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**National
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Administration**

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Contact: Clyde Ensslin or Ranjit de Silva
202-482-7002

**Statement by Acting NTIA Administrator Michael D. Gallagher on Solicitor General's
Decision not to Appeal DC Circuit Court Decision**

“Over the last 10 weeks, the telecommunications industry has participated in an historic effort to use commercial negotiations to end 8 years of regulatory and legal stalemate. Although the largest telecommunications players have not been able to find common ground, nine agreements have been reached, including the significant accord between Qwest and MCI. The Administration has supported these negotiations as the best way to achieve a higher degree of market-based competition within the telecommunications industry.

Consistent with the Administration's views, the Solicitor General will not support a Supreme Court review of the DC Circuit's decision in *USTA v FCC*. The decision not to support a Supreme Court review is a step toward creating greater regulatory certainty while bringing competition and choice to American consumers. In an era of rapidly changing new technologies like mobile wireless, high-speed fiber optics, and expanded broadband deployment, policy should favor customer choice. Speeding the development of clear national rules will help create regulatory stability in the telecommunications sector that will promote both competition and investment.

In the event that the Supreme Court does not grant a stay or Writ of Certiorari, the Administration will urge the Federal Communications Commission to rapidly develop appropriate interim rules that will protect consumers and continue to ensure competitive access to the local telephone network. During the time that these interim rules are in place, the Administration will encourage the FCC to develop final national ground rules that appropriately continue competition and are sustainable in the courts. The Administration will also continue to support negotiated commercial agreements and will continue to urge all parties to negotiate commercial agreements in good faith.”