

Advocacy Submits Comments to the Federal Communications Commission Regarding Small Business Exemption from Enhanced Transparency Requirements

On September 8, 2015, the Office of Advocacy submitted public comments to the Federal Communications Commission, encouraging the agency to continue to exempt small broadband internet service providers from certain network transparency and disclosure requirements promulgated under the FCC's *2015 Open Internet Order*.

During the public comment period for the *2015 Open Internet Order*, many small business stakeholders raised concerns regarding the disproportionate impact that the FCC's proposals would have on small broadband providers. Because of those concerns, the FCC temporarily exempted small broadband providers with 100,000 or fewer broadband connections from certain enhancements of the FCC's existing transparency rules that govern the content and format of disclosures made by providers of broadband Internet access service. The FCC also directed the Consumer and Governmental Affairs Bureau to seek comment on questions regarding continued implementation of the exemption. On June 22, 2015, the FCC released a notice seeking comment on the exemption.

Advocacy's comments recommended that the FCC:

- Continue to exempt small businesses from its enhanced transparency requirements;
- Attempt to mitigate the cost of compliance for small entities and then determine whether such costs are justified in light of consumer benefits; and
- Follow the SBA procedures for determining the appropriate size threshold to use when determining eligibility for the exemption.

For more information please contact Assistant Chief Counsel Jamie Saloom at Jamie.Saloom@sba.gov, or 202/205-690, or visit Advocacy's webpage, www.sba.gov/advocacy.