



## **Solutions2020 Proposal – Support for Small Businesses**

To further Commissioner Clyburn’s efforts to ensure the availability of affordable communications services to all Americans, the Commission should enhance its efforts to support small communications providers that serve rural communities, as well as those that provide competitive alternatives to larger providers. Specifically, the Commission should reduce the regulatory burdens faced by small communications providers by more faithfully complying with the Regulatory Flexibility Act (“RFA”) and by establishing a Small Business Ombudsman to work with and advocate for small providers who struggle to operate in the Commission’s complex regulatory environment.

The Commission has a statutory duty in adopting new rules, pursuant to the RFA, to produce a comprehensive analysis, including initial and final reports, that describe the impact that any proposed regulation would have on small entities, steps taken to minimize that impact, and what, if any, significant alternatives were considered. Although the Commission generally abides by the RFA’s specific procedural requirements, its substantive analyses generally fail to adequately reflect the true economic impact of the proposed regulations. To ensure substantive compliance with the RFA, the Commission should take steps to ensure that staff are better trained to carry out the RFA’s requirements, including development of internal best practices, should set forth benchmarks to monitor compliance with those requirements, and in general should evaluate whether structural changes to the Commission’s internal RFA process may be warranted.

In addition, the Commission should establish the position of Small Business Ombudsman, both to assist small businesses in identifying and complying with their regulatory obligations, and to act as an advocate in dealing with the Commission on non-rulemaking matters, and with other parties subject to laws and regulations designed to protect small businesses. By establishing a single point of contact for small entities who need help navigating the various filing and compliance obligations, the Commission can help mitigate regulatory burdens and increase compliance rates. Similarly, an ombudsman could serve as an advocate to help small businesses, on an individual basis, assert their legal rights in circumstances where outside legal counsel may not be necessary, including some enforcement actions and administrative litigation.

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