

Telecom Alert: November 28, 2016- FCC Transition Team; Light FCC Agenda; TCPA Enforcement Advisory; AT&T Asks States to Show Interoperability in FirstNET Plans; Upton and Thune Address FTC Agenda

Article By:

Gregory E. Kunkle

Thomas B. Magee

Tracy P. Marshall

Wesley K. Wright

FCC Transition Team Members Announced

Team Trump announced that Jeffrey Eisenach and Mark Jamison will focus on the FCC's transition as the President-Elect prepares to assume the Presidency. Eisenach is a managing director at NERA Economic Consulting and serves as the director of American Enterprise's Center for Internet, Communications, and Technology Policy. Jamison is a visiting fellow at AEI's Center for Internet, Communication, and Technology and serves as the director of the Public Utility Research Center at the University of Florida. Jamison has been highly critical of current FCC chairman Tom Wheeler's policy direction and leadership, stating that politicization, a decline of analytical work and lack of transparency characterize the agency's decision-making. Eisenach has said little publicly, but is seen as committed to Trump's emphasis on less regulation and lower taxation.

Light FCC Agenda Announced

The FCC announced a light tentative agenda for its December 15 Open Meeting, only including topics like real-time text (RTT) and Emergency Alert System (EAS). The tentative agenda did state that items already on circulation may be considered if they have not been ruled on prior to the Open Meeting. This will likely be Tom Wheeler's final Open Meeting as Chairman as the January Open Meeting is tentatively scheduled for late in January after the Trump administration is in office.

TCPA Enforcement Advisory

The FCC's Enforcement Bureau recently issued an Advisory emphasizing the rules and restrictions

associated with the use of autodialed text messages (“robotexts”) under the Telephone Consumer Protection Act of 1991.

AT&T ask States to Show Interoperability in FirstNET Plans

In reply comments filed last week, AT&T asked the FCC to require states that submit alternative plans to First Responder Network Authority’s (“FirstNET”) partner to make a detailed showing that the radio access network (“RAN”) will be interoperable with FirstNET. AT&T noted in its filing that achieving and maintaining interoperability will be “incredibly challenging” and will be even more complex if a State opts-out. In addition to showing how a State -operated RAN may become interoperable, AT&T asks that states “demonstrate a serious long-term commitment of resources, funding, expertise, and cooperation.” AT&T is one of three entities known to have submitted a bid for the contract to serve as FirstNET’s partner.

Upton and Thune Address FTC Agenda During Transition

House Energy and Commerce Committee Chairman Fred Upton (R-MI) and Senate Commerce Committee Chairman John Thune (R-SD) issued a letter to FTC Chairwoman Edith Ramirez requesting that she halt any proceedings related to controversial regulations but continue routine merger views and consumer protection enforcement until Trump’s inauguration in January. The legislators issued a similar request last week to FCC Chairman Tom Wheeler that resulted in the deletion of several items from the Commission’s Open Meeting for November.

© 2025 Keller and Heckman LLP

National Law Review, Volume VI, Number 333

Source URL: <https://natlawreview.com/article/telecom-alert-november-28-2016-fcc-transition-team-light-fcc-agenda-tcpa-enforcement>