

## INTRODUCTION

It is appropriate that the Federal Communications Law Journal is devoting this special issue to analysis of the Telecommunications Act of 1996 on its twentieth anniversary because the '96 Act significantly amended the Communications Act of 1934 in many important ways.

The most fundamental change mandated by the Act was to open local telecommunications markets to competition. To implement that change, Congress adopted detailed provisions designed to foster local competition and Congress's decision to address *local* telecommunications issues upset the traditional division of authority between state and federal regulators. Congress also adopted provisions permitting the Bell Operating Companies to provide long distance service after they opened their local markets to competition. In addition, Congress recognized that local competition would require major changes in the existing universal service and intercarrier compensation rules and adopted provisions addressing those critical issues. Congress also recognized that regulation should recede as competition developed and enacted a novel provision permitting the Federal Communications Commission to forbear from enforcing provisions of the Communications Act that were not needed once competition developed. These are only a sample of the provisions adopted in 1996.

Congress mandated that the FCC issue rules implementing the market-opening provisions of the Act within six months of enactment. Along with many of the contributors to this special issue, I worked at the Commission while the landmark *Local Competition Order* was drafted between February and August of 1996. It was only the first of dozens of FCC orders resulting from the Act.

To say that the requirements of the Act and the Commission's implementation of its provisions were subject to extensive debate at the Commission and litigation in the courts is a major understatement, but that is about all I can say in my role as President of the Federal Communications Bar Association. However, this special issue of the FCLJ includes articles by scholars examining the Act and essays by many communications lawyers that, together, provide useful celebration and critical analysis of the Act. Those contributors include key drafters of the Act, the Chairman of the FCC when '96 Act became law, lawyers representing state commissions and public interest groups, and lawyers who represented the many telecommunications companies affected by the Act. I would like to thank all of the contributors for their articles and essays.

I also would like to thank the Journal staff, especially Amy McCann Roller, and the FCBA's Law Journal Committee, especially Jeff Lanning and Larry Spiwak, for their excellent work on this special issue.

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