



Research

FCC Chairman Wheeler By The Numbers

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With the new administration comes the changing of the guard in federal government agencies. Under President Obama, the Federal Communications Commission (FCC) Chairman Tom Wheeler was an often controversial regulator. What follows is an analysis of Chairman Tom Wheeler by the numbers.

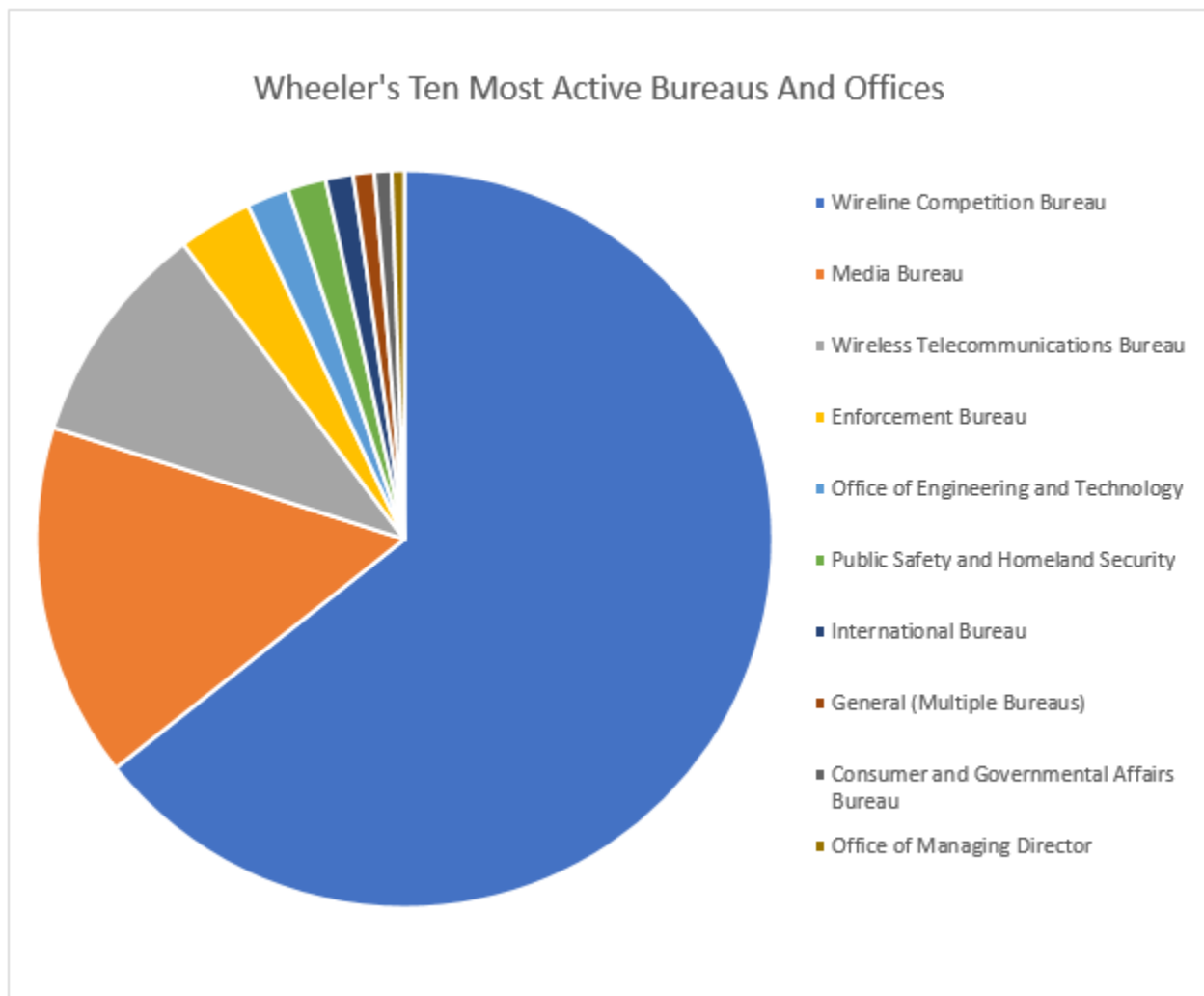
This report is based on an analysis of the FCC's Electronic Comment Filing System (ECFS), which serves as the official repository for records in the FCC's docketed proceedings. While there are other methods to explore the tenure of an FCC administration, this type of analysis allows for quantitative comparison between terms. The FCC starts a new proceeding to create rules and policies when required by law or when an outside party files a petition seeking a change in existing rules. Taken together, the FCC dockets provide a representative sample of the work that the FCC does on a day to day basis. Collection of ECFS filing data began in 1992 in the middle of Alfred Sikes' Chairmanship, so the analysis begins with the Chairmanship of Reed Hundt and finishes with Tom Wheeler. Nearly 7500 dockets were analyzed in total for this project.

From the beginning of his term on November 4, 2013 to the end of his tenure on January 20 of this year, Chairman Wheeler opened 1089 dockets, which translates into about a docket a day. Wheeler closed 1750 dockets, which surpasses any modern Chair.

| Chair | Party | Start Date | End Date | Opened Dockets | Closed Dockets |
|--------------------|------------|-------------------|------------------|----------------|----------------|
| Reed E. Hundt | Democrat | November 29, 1993 | November 3, 1997 | 848 | 606 |
| William E. Kennard | Democrat | November 3, 1997 | January 19, 2001 | 902 | 747 |
| Michael K. Powell | Republican | January 22, 2001 | March 17, 2005 | 1660 | 315 |
| Kevin J. Martin | Republican | March 18, 2005 | January 19, 2009 | 1027 | 713 |
| Michael J. Copps* | Democrat | January 22, 2009 | June 28, 2009 | 94 | 0 |
| Julius Genachowski | Democrat | June 29, 2009 | May 17, 2013 | 1108 | 1382 |
| Mignon Clyburn* | Democrat | May 20, 2013 | November 4, 2013 | 125 | 0 |
| Tom Wheeler | Democrat | November 4, 2013 | January 20, 2017 | 1089 | 1750 |

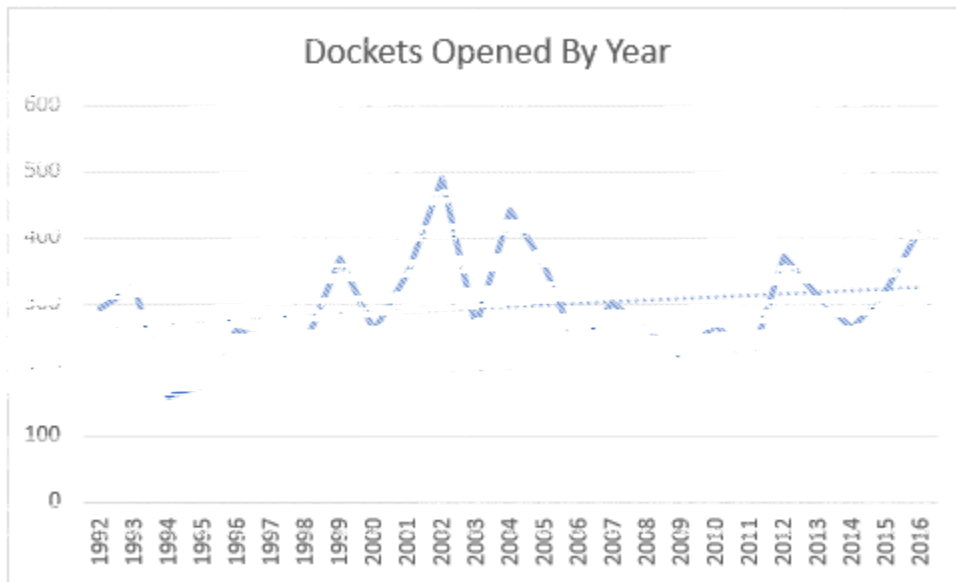
* Denotes Acting Chair

Breaking down these numbers by the originating bureaus and offices, the vast majority were found to come from the Wireline Competition Bureau, which manages both voice and broadband regulation. Under Wheeler, the Wireline Competition Bureau began out 691 dockets. The Media Bureau, which oversees broadcast radio, television, cable, and satellite began 167 dockets under Wheeler, while the Wireless Telecommunications Bureau, which develops and executes policies for licenses wireless started 106 dockets.



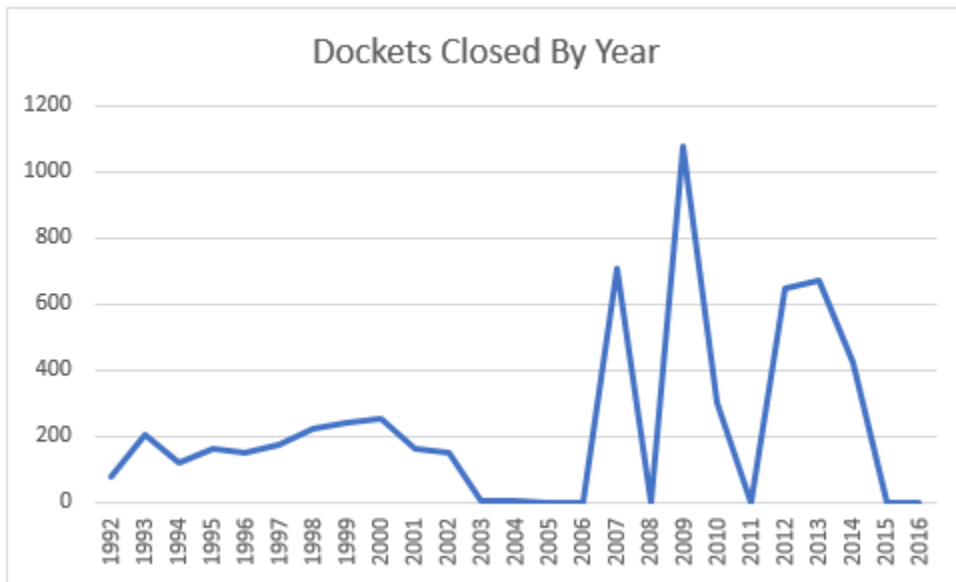
During his tenure, Wheeler [came under fire from Senators](#) who called out the Chair for “seemingly arbitrary” fines and an unclear track record in taking action in response to consumer complaints. As the fourth most active division, the Enforcement Bureau ranks above both the Office of Engineering and Technology, and the Public Safety and Homeland Security Bureau.

Looking at the yearly breakdown of new dockets, as shown in the graph below, Wheeler’s tenure doesn’t include the most dockets. Instead, his record fits into a broader trend of increased regulatory activity that [AAF’s Sam Batkins has documented](#), as evidenced by the dotted blue trend line.



With dockets placed in a yearly trendline, local peaks form. These highpoints tend to correspond to the midpoint of a Chair’s tenure, suggesting that the top regulator at the FCC can be an important component in driving the breadth of the FCC’s policy agenda.

If new dockets aren’t closed in a timely fashion, dockets can pileup. To his credit, Wheeler did a lot to close a number of open dockets, as the chart below suggest. Per our analysis, however, 1630 dockets are still open.

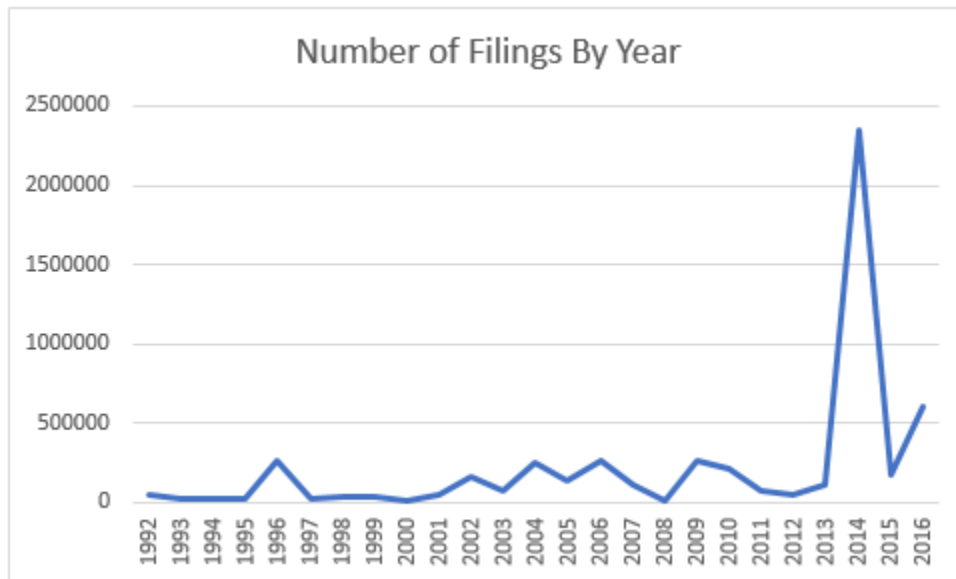


However, the number of new dockets isn’t the only way to chart the reach of a Chair’s regulatory agenda. For each proceeding, interested or affected parties might file a response. Thus, another way to breakdown the term of an FCC Chair is to explore the number of public filings. In this regard, Wheeler has solicited the most public response from any Chair, as the chart below details.

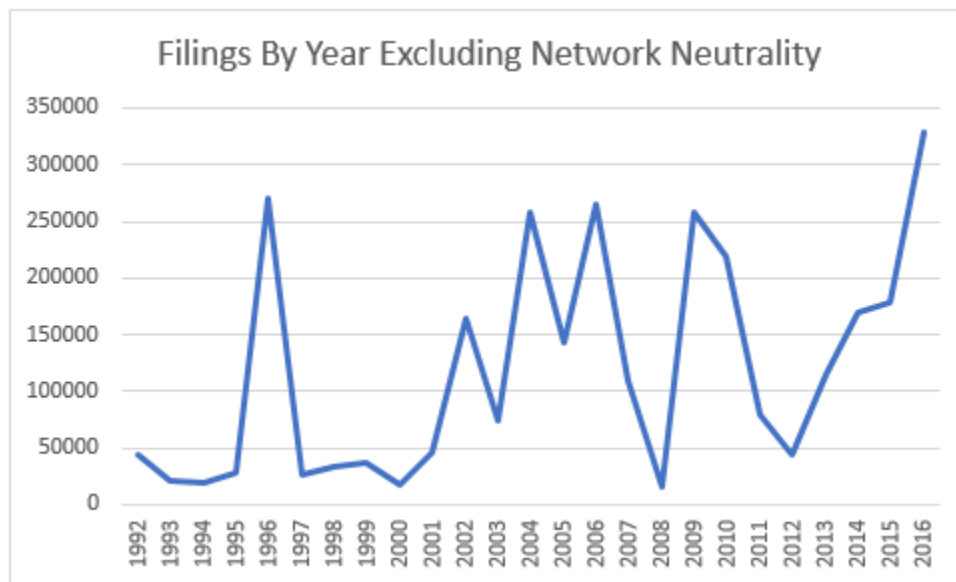
| Chair | Total Filings | Average Number of Filings by Docket |
|-------|---------------|-------------------------------------|
|-------|---------------|-------------------------------------|

| | | |
|--------------------|---------|------|
| Reed E. Hundt | 341018 | 404 |
| William E. Kennard | 88921 | 99 |
| Michael K. Powell | 584803 | 375 |
| Kevin J. Martin | 489479 | 477 |
| Michael J. Copps | 54280 | 577 |
| Julius Genachowski | 651412 | 606 |
| Mignon Clyburn | 7057 | 56 |
| Tom Wheeler | 3135086 | 2919 |

With over 3 million official filings, Wheeler ranks far above any previous Chair in the total number of filings.^[1] Many will chalk this up to the network neutrality proceedings that garnered nearly 3.7 million comments which were collected in just over 2 million official filings. The graph below shows how overwhelming the network neutrality responses were, demonstrated by the peak around 2014.



Yet, even if the two major network neutrality proceedings were excluded from this analysis, Wheeler’s total number of filings would have been 678,831 with the average coming out to 633. In other words, Wheeler still elicited the most public response of any modern Chair after excluding the most important dockets in a generation. Below is a chart with the two network neutrality proceedings excluded, which shows a steady rise in filings through 2014 and into 2016.



Following the departure of Wheeler, FCC Commissioner Ajit Pai took the top spot and vowed to modernize the agency and undo some of the most onerous rules pushed by Wheeler. Wheeler’s legacy is no longer in his hands, as successive Chairs decide to build on or replace his policies. Yet, the data explored here give us a first draft of what that legacy might be.

[1] Although some 3.7 million comments were received in the network neutrality rulemaking, only 2 million official filings hit the FCC’s ECFS system since many comments were appended together.