

**COMMISSIONER HAROLD FURCHTGOTT-ROTH  
DISMAYED AT FURTHER DELAY OF 700 MHz AUCTION**

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As I have now said on four previous occasions, I believe Congress spoke clearly when it required this Commission to auction this 700 MHz spectrum so as to “ensure[] that all proceeds of such bidding are deposited . . . not later than September 30, 2000.”<sup>1</sup> As I noted last May, there was no legal or logistical basis for delaying the auction in the first place. Each delay only brings the agency further out of compliance with the law. Thus, I do not believe any subsequent events should form the basis for further delay. I am disappointed that the Commission has decided to postpone this auction once again.

It is my sincere hope that this will be the final such delay. Indeed, each postponement points out significant Commission shortcomings: non-compliance with the law, poor auction schedule management, and the repeated disruption of public expectations. With each succeeding delay the credibility of our spectrum and auction management policies becomes more suspect. All of these factors underscore the need for this delay to be the final chapter in this continuing saga.

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<sup>1</sup> Pub. Law 106-113, 113 Stat. 1501, Appendix E, Section 213. *See also* 145 Cong. Rec. at H12494-94, H12501 (Nov. 17, 1994), “Making consolidated appropriations for the fiscal year ending September 30, 2000, and for other purposes.” *See* Separate Statements of Commissioner Harold Furchtgott-Roth regarding various delays in the 700 MHz auction (May 2, 2000) and (June 22, 2000) and Joint Statements with Commissioner Gloria Tristani, (July 31, 2000) and (September 12, 2000).