



# NEWS

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**Federal Communications Commission**  
**445 12<sup>th</sup> Street, S.W.**  
**Washington, D. C. 20554**

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FOR IMMEDIATE RELEASE:

March 30, 2001

## **PRESS STATEMENT OF COMMISSIONER HAROLD FURCHTGOTT-ROTH**

*Re: Spectrum Study of the 2500-2690 MHz Band, Final Staff Report (March 30, 2001).*

I applaud the staff's efforts in preparing today's final report. I look forward to studying its conclusions in the months ahead. As we begin to examine some of our difficult spectrum management challenges, it is important to re-emphasize certain guiding principles that I believe should inform these discussions.

**First, grant additional spectrum usage rights, not fewer.** Whenever practical, government should be expanding the bundle of rights associated with our licenses. Undefined rights and those retained by the government undermine the market and hinder full and efficient spectrum use. Forced relocation of fully authorized commercial licensees is one of the most dramatic examples of government diminishing licensees' rights.

**Second, markets yearn for certainty.** MDS and ITFS licensees have waited for years to have the flexibility and leasing rights that have now permitted their symbiotic relationship to flourish. Tampering with this relationship (which the FCC itself created and encouraged) undermines certainty and will retard the development of the services we have spent years incubating.

**Third, develop a national policy with a global awareness.** At the World Radio Conference (WRC) in Istanbul, I was a staunch advocate of the US proposal that identified multiple bands for possible 3G services. Our policy recommendation also granted maximum flexibility to each administration to allocate all, some or none of the proposed bands for national use. In our domestic proceedings, we must be mindful of this WRC determination and the benefits of harmonization, but shape a policy based on our national interests. There will be multiple global bands for 3G; we must make the right decision for our needs.

**Finally, trust the marketplace.** Government intervention is not required in order for spectrum to flow to its highest valued uses. A fully functioning secondary market would achieve this goal. When government intervenes to impose its own view of the highest valued use of spectrum, there is a significant risk that government will get it exactly wrong. Ultimately we must have faith that the marketplace is the best mechanism to choose among commercial applications for spectrum.

In the coming months, we will face many difficult decisions. However, we must see this challenge as an opportunity to apply our principles, not abandon them.