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**Federal Communications Commission**  
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**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  
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## **STATEMENT OF FCC CHAIRMAN MICHAEL POWELL ON APPEAL TO U.S. SUPREME COURT ON NEXTWAVE CASE**

I welcome the decision today by the Justice Department to support our appeal of the NextWave case to the Supreme Court.

High Court review will protect the integrity of the FCC's auctions program, which Congress has chosen as the best method of assigning scarce and precious spectrum resources to those that will put them to their most productive use.

Through this appeal, I also hope the Court will clarify how the important public policy goals of the Bankruptcy Code should interact with the equally important public policy goal of ensuring that spectrum is used for the benefit of the American people.

The FCC's petition for a writ of certiorari is due to be filed on September 22nd.

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