

STATEMENT OF COMMISSIONER MICHAEL J. COPPS

June 10, 2004

RE: Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Use of the Universal Licensing System in the 2150-2162 and 2500-2690 MHz Bands; Part 1 of the Commission's Rules – Further Competitive Bidding Procedures; Amendment of Parts 21 and 74 to enable Multipoint Distribution Service and the Instructional Television Fixed Service Amendment of Parts 21 and 74 to Engage in Fixed Two-Way Transmissions; Amendment of Parts 21 and 74 of the Commission's Rules With Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed Service for the Gulf of Mexico (Report and Order and Further Notice of Public Rulemaking)

Today we take a major step toward providing stability in the MMDS and ITFS band. We establish a new band plan that separates high-power operations from low-power operations. We create a transition mechanism designed to move us from the current plan to a new three-part band plan. And, most importantly, we resolve with finality the question of ITFS eligibility. ITFS licenses are, and will continue to be, reserved for educators. Uncertainty on all these matters has created a confusing environment for too long, and it has held back needed investment. But now 1,275 ITFS licensees in 70,000 locations have the stability they need to make the most of this spectrum. I thank the Chairman and my colleagues for making this the case.

So now our ITFS and MMDS licensees can fully demonstrate to the Commission that with this stability they will build out their systems. Many licensees are already doing incredible work and making efficient and intensive use of the spectrum. Others are not, but now they have the opportunity—and the obligation—to do so. The Bureau has been tasked with reporting to the Commission on progress on the transition and on the intensity of use of the band. While we all understand that the dislocations caused by the transition will have an impact on deployment schedules, every licensee must work hard to ensure that they move forward and put this valuable spectrum to use rapidly. There are many who believe that MMDS and ITFS licensees will not use the spectrum efficiently. I think they are wrong. This is your chance, licensees, to prove the skeptics wrong.

The best ITFS licensees provide an example of how the public's spectrum can truly be used to serve the public interest. Children are educated. Distance learning is enabled. Rural access becomes a reality. Let's make the best of ITFS the rule for the whole band.

Thanks to the Bureau and thanks again to my colleagues for all the hard work on this difficult item. I believe that our collaboration has produced very positive results.