

**SEPARATE STATEMENT OF  
COMMISSIONER KATHLEEN Q. ABERNATHY**

*Re: Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, WT Docket No. 00-230, FCC No.04-167, (Adopted July 8, 2004).*

Last May, the Commission took an important and innovative step forward when we adopted basic rules to enable facilities-based providers of broadband and other communications services to lease wireless radio spectrum from licensees. Fostering such secondary markets for unused spectrum furthers our overall spectrum management responsibility by ensuring that spectrum is utilized efficiently. What's more, everyone benefits. Lessors are able to monetize unused portions of their spectrum grants. Lessees gain entry to previously unavailable markets. And, most importantly, consumers gain access to a greater range of wireless services – when and where they need them, including in rural areas.

With this Second Report and Order and Further Notice of Proposed Rulemaking, we mark our further progress in the development of flexible and fair secondary spectrum markets. An important part of today's order is to streamline our processing rules governing spectrum leases and other applications, and to provide increased clarity. Streamlining will enable greater speed-to-market for new technologies and services.

As I have stated before, an open, market-based regulatory approach is the best way to ensure the health of our industry and the robustness of its consumer offerings. Already, we have seen promising activity in the secondary markets for spectrum; in less than five months, at least 54 spectrum leasing applications have been filed. As the markets mature – and as we continue to maintain an open, market-based regulatory approach – I anticipate even greater reliance on our secondary-markets system. We will continue to examine ways to improve our rules governing secondary-spectrum markets through our second Further Notice of Proposed Rulemaking and I look forward to reviewing the record and taking additional steps to ensure the efficient use of the spectrum resource.