

**SEPARATE STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

Re: Amendment of the Commission's Rules to Facilitate the Use of Cellular Telephones and other Wireless Devices Aboard Airborne Aircraft, WT Docket No. 04-435, Notice of Proposed Rulemaking (Adopted December 15, 2004).

Today we live in an increasingly mobile world and Americans are demanding greater access to wireless services and applications. This Notice of Proposed Rule Making (NPRM) is an important step in achieving the Commission's goal of fostering the development of technologies that will increase America's communications options—in this particular case, communications between wireless handsets airborne and on the ground—while ensuring that terrestrial systems are not subject to harmful interference. Our actions today begin a process that I expect will benefit the traveling public as well as public safety personnel, by increasing the communications options for those aboard airborne aircraft. Although operation of wireless devices aboard aircraft remains subject to Federal Aviation Administration (FAA) rules and policies that restrict their use to ensure against interference to onboard communications and navigation equipment, the adoption of this NPRM will help ensure that the Commission's rules do not unnecessarily restrict the availability of airborne wireless services should the FAA and aircraft operators permit the use of airborne wireless devices.