

**Remarks of
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Thank you Chris for the kind introduction.

Our job at the Commission is to promote communications and help you expand services to consumers. I think we can all agree that the evolution of the mobile wireless industry is one of the greatest technology success stories this country has ever seen. And as you know, it is not because of one wireless standard or another.

I am so pleased that the FCC's flexible approach to wireless regulation has played a part in your industry being successful. I want to continue to improve our overall quality of life by getting the best wireless service possible out to every corner of this country. I know that all of you share this important goal.

Tower Siting

That is why I was so concerned when tower siting applications were stacking up on desks at the Commission. When we talk about providing the best wireless service possible – both for consumers and homeland security purposes – that often means building new towers. As you are well aware, the backlog was a result of the lack of response to consultation by potentially affected Indian tribes and native Hawaiian organizations.

I have to say right off of the bat, that I am a strong supporter of the Nationwide Programmatic Agreement (NPA) – I come from Indian Country, and respect their rights to be consulted. I am very encouraged by reports from both industry and tribal groups regarding the extent of consultation that has taken place over the past several months. And roughly 95% of federally recognized tribes have availed themselves of the FCC's Tower Construction Notification System. These are such positive developments, and will hopefully lead to even closer and timelier collaboration in the future.

I understand, though, that not everyone in the industry embraces the NPA and that there is ongoing litigation regarding the jurisdictional elements of that agreement. But this was not an issue of jurisdiction, this was an issue of process – and we all agreed that the backlog simply was unacceptable and had to be fixed as soon as possible. The tribes also agreed that the process needed to be streamlined.

So I immediately put on the full court press both internally and externally to get the backlog cleared and to put in place a specific process for dealing with the response issue going forward. I

was pleased to work collaboratively with the tribal community and the wireless industry to come up with an approach that met the needs of all concerned parties.

Resolution of this issue was long overdue, given that winter is fast approaching and the construction season is ending across much of the northern United States. But I am pleased that we were able to put in place a solution that immediately cleared the enormous backlog of tower siting requests. The Commission needs to encourage wireless infrastructure deployment - not unnecessarily stand in its way.

I believe the NPA can and will work. I hope that our recent efforts serve as a model for further collaboration under the agreement.

Hurricane Katrina

I also want to talk about the commitment I saw first hand from the wireless industry in its response to Hurricane Katrina. Shortly after the hurricane hit, I had an opportunity to visit Biloxi and other communities along the Mississippi Gulf Coast and see for myself just a fraction of the devastation caused by Hurricane Katrina. My heartfelt sympathies continue to go out to those who have suffered through this unbelievable tragedy.

During my visit, and our special meeting in Atlanta, I saw the resilience of the human spirit. I heard it in testimony from our panelists and saw it in the eyes of hundreds of communications workers who were working around the clock to restore connectivity to the Gulf Coast, even though they themselves have suffered great personal loss. I saw how critical it is that we all work closely together – the Commission included – in times of crisis. It is difficult to overstate the value of restoring communications services for citizens desperate to find out what is happening, when help will be on the way, and the status of their loved ones.

I also want to applaud the wireless carriers who put aside the bottom line to ensure that their customers had access to services, whether or not bills were being paid, in the aftermath of Katrina and more recently Hurricane Rita. Continued service was an important gesture that we hope could add some sense of stability to those who suffered so much.

The FCC has tried to do its part too, by providing \$211 million in universal service funding to the disaster area. And the FCC will direct \$39 million of those funds to provide support for free wireless handsets and a package of at least 300 free minutes for eligible evacuees and residents in the affected area.

With Hurricane Katrina, we again see the importance of wireless communications for first responders; local, state and federal officials; and for the many citizens affected by this disaster. Even the members of the 9/11 Commission again underscored the need to better prepare for just this sort of situation. As many of you personally know, Katrina has served as a brutal reminder of the critical importance of having crisis management plans in place. As a nation, we can never let our guard down since we never know when or where the next disaster will strike.

Now we need to assess what worked well, but just as importantly, to figure out how we can improve our preparedness and response. We can do better, and we must do better.

My trip to the Gulf Coast, and subsequent discussions with many 3G Americas members, has helped my understanding of lessons learned. I have seen firsthand the importance of access to power, fuel, and generators. I have also heard about the importance of security and proper oversight by emergency authorities, so that communications workers can stay with, or return quickly to, facilities in trouble with the support of authorities on the scene.

But there is much more to be learned, more to be done, and a lot of hard questions yet to be asked – about issues of redundancy, planning, and the reliability and interoperability of public safety systems. So I applaud the Chairman's decision to appoint a panel to look at the effects of Hurricane Katrina – how we prepared, how we responded, and what we can do to improve. I also commend his efforts to reorganize and refocus the FCC so that we can best address public safety, homeland security, and disaster preparedness issues.

A crisis like Hurricane Katrina demonstrates how important it is that help is always just a phone call away. I want to thank you and all of your colleagues for the tremendous effort to ensure that Americans in the hardest hit areas once again have that lifeline to help. I am sure we'll see that same dedication if Hurricane Wilma continues its expected path towards Florida.

3G Band Plan

Of course, and as you are discussing today, if we want to see better and more advanced wireless service in the future, we need to make more spectrum available. So it has been very gratifying to work on a number of proceedings since I started at the Commission dealing with the auction of 90 MHz of new spectrum for the Advanced Wireless Service (AWS).

For example, I pressed for the inclusion of an Economic Area (EA) block of licenses instead of another set of larger groupings in our first review of the AWS bandplan last year. I thought that EAs would provide a better opportunity for larger carriers to more strategically expand their spectrum footprint, while also improving access to spectrum by those providers who want to offer service to smaller areas.

I was very pleased that our decision to adopt an EA license block was so well received by a number of carriers and manufacturers, including many 3G Americas members. After that original ruling, a diverse group with competing interests came together to propose an even better balance between small and large license areas through a variety of changes to the band plan. We adopted most of these changes this past August, including the suggestion to make more additional spectrum available on both an EA and Cellular Market Area basis.

In our review of the AWS band plan, we also were presented with a number of proposed changes to our designated entity (DE) rules. I support our plans to shortly launch a separate proceeding on the specific issue of restricting DEs who have a relationship with the largest wireless carriers from having access to bidding credits in the AWS and other future auctions. This is not about excluding companies from the auction, just whether or not these DEs should be allowed to take advantage of bidding credits.

To me, the stakes are simply too high to ignore this narrow question. This issue is particularly important given the dramatic scope of consolidation in the wireless industry in just the last 12 months and the ever-increasing market share of the largest carriers.

I look forward to this proceeding because it is unclear to me why the FCC continues to allow the largest wireless companies to partner with DEs and get access to spectrum at a 25% discount at a time our budget is under ever increasing pressure. This is even more significant in the AWS auction where auction proceeds must be sufficient to cover government relocation costs.

Of course, I do not want to see the AWS auction unnecessarily delayed. But there are still at least eight months until our target date, and if we move fast, we can resolve this matter well in advance of the summer. In fact, there are a number of variables, both within and outside the FCC's control, that may independently affect the timing of the auction.

The bottom line is that I am committed to working with my colleagues and the Wireless Bureau to make sure this auction is as successful as it can possibly be.

Conclusion

It is been an interesting few months for the mobile wireless industry. As your industry continues to rightly look to the future and the challenges and opportunities of wireless broadband, events like Hurricanes Katrina and Rita highlight our nation's increasing reliance on "plain old" wireless voice service. And in the midst of all this, we realize once again how critical the deployment of new towers is to both expanding existing services and launching new ones.

I look forward to working with groups like 3G Americas as we continue our collective efforts to get the latest wireless services deployed to all corners of the country. From AWS auctions to wireless broadband to 3G, I know the GSM industry will be right there in the middle of the action. Thank you, Scott and Chris, for keeping me involved with this group, and thank you all for letting me join you today.