

**SEPARATE STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Service Rules for the 698-746, 747-762 and 777-792 MHz Band; Revision of the Commission's Rules to ensure Compatibility with Enhanced E 911 Emergency Calling Systems; Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones, NPRM, Fourth NPRM, and Second FNPRM.

With the grand-daddy of all auctions coming at us in 700 MHz in less than two years, I am encouraged that we begin today the process of developing service rules for it. Getting this one absolutely right is absolutely necessary if we are going to reap the full measure of benefit from this beach-front property spectrum. We're on the right road here, we're asking the right questions, and I want to thank the Bureau for bringing this especially thoughtful and well-crafted item to us.

As I stated earlier today in our discussion of BPL technology, we have a broadband crisis in this country that stems from a lack of competition. Wireless technologies can play, I believe, a critical role in remedying the egregious gaps in our national communications system. The 700MHz spectrum that we will auction in 2008 is key to spreading the benefits of broadband across our country. In order to make sure that our nation's consumers get the most out of this great national resource, we need to begin by answering some difficult questions about the service rules for this band.

One critical issue is the size of the geographic service areas. I am pleased that we have heeded the Rural Cellular Association's call to consider assigning a significant number of these licenses over smaller geographic areas. Smaller providers need a fighting chance to bid against the large national carriers for spectrum that is ideally suited for rural broadband applications. I look forward to a record that will inform us how to best achieve this goal.

Another critical issue involves the build-out and renewal standards to be applied in this valuable spectrum. We need, of course, to give companies breathing room and regulatory certainty so they can raise capital and build networks. At the same time, we must not countenance spectrum warehousing or any other unreasonable delay in putting our nation's spectrum to work. The demand for wireless broadband is just too pressing to allow companies to sit on spectrum, and I look forward to developing rules that will put licenses in the hands of those most capable of bringing new services to market.

I am also pleased with our tentative conclusion that the full range of E911 and hearing aid compatibility rules will apply to services in this band and, I might add, in the Advanced Wireless Services band whose auction is more imminent. This is an area wherein any lingering legal uncertainty must be promptly dispelled. These broadband wireless bands must be available to and safe for all Americans.

Additionally, I want to commend and thank Commissioner Adelstein for drawing attention to the challenge of promoting the deployment of wireless networks on tribal lands. This Commission's job is to make communications by wire and radio available to *all* our people,

and this auction can be tremendously important for bringing advanced telecommunications to Indian Country.

I recognize that this is the first in several steps that the Commission must take in order to conduct a successful 700MHz auction and to deliver proceeds – hopefully copious proceeds – to the U.S. Treasury. We also face important questions about how to organize public safety spectrum in this band and we still need to consider interesting proposals about how best to make use of our 700 MHz guardbands. I look forward in the coming months to working with the Chairman and my fellow Commissioners so that this auction goes off smoothly and that this spectrum can begin delivering wireless broadband services as quickly as possible.

Finally, even as we lay groundwork for our auction of the 700 MHz spectrum, I want to reiterate my belief that the Commission must continue to expand the amount of unlicensed spectrum available for promising new technologies. I look forward to resolving the “TV white spaces” and “spectrum test bed” dockets, as well as other matters that will come before us, so as to continue to provide our nation’s engineers and entrepreneurs with the resources they need to continue astounding us with their creativity and innovation.

Thanks again to the Bureau for an excellent item.