

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

Re: Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band, WT Docket No. 07-293; Establishment of Rules and Policies for the Digital Audio Satellite Service in the 2310-2360 MHz Frequency Band, IB Docket No. 95-91, GEN Docket No. 90-357

Given our diligent and thorough technical and legal analyses, the new regulatory framework we adopt today has been a long time in the making. I am pleased that our work paves the way for deployment of mobile broadband in the Wireless Communications Services spectrum, while also protecting adjacent satellite radio, aeronautical mobile telemetry, and deep space network operations from harmful interference. This means that the mobile broadband marketplace will be even more competitive, and that American consumers will continue to benefit.

At the outset, I want to thank Julius Knapp, Ron Repasi, Pat Forster, and the entire Office of Engineering team for your outstanding work here. This has been an extraordinarily lengthy (13 years), not to mention trying, proceeding. No surprise that you folks rose to the challenge. This order is well-written and clear, which will benefit the affected entities by providing the certainty they need as they deploy new systems and upgrade existing ones.

The extensive technical record – which includes field testing – gives us the confidence to conclude that instances where WCS would seriously degrade, obstruct or repeatedly interrupt satellite radio transmission occur rarely, if at all. Thus, clear rules and tight coordination procedures are all the more important. I am voting to support today's decision because it promotes competition among multiple mobile platforms, encourages new entry into the mobile market, and provides more incentives for investment and innovation.

Moreover, the performance requirements established for the WCS licensees will afford them bright-line certainty and will help ensure a rapid build-out and meaningful deployment, as well as facilitate Commission review of the progress. I am pleased that we extended the original proposal by one full year. I appreciate the valuable comments from the WCS companies and their investors regarding the time lines for raising capital and developing and commencing service, which we have taken into account in today's order.

In addition to OET and the WCS community, I thank everyone who took part in bringing this complicated matter to conclusion, in particular the teams in the International and the Wireless Telecommunications bureaus. This was a team effort. I appreciate your outstanding work.