

**STATEMENT OF
COMMISSIONER MEREDITH A. BAKER**

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

I support today's approach with respect to the 2.3GHz spectrum as a balanced and viable compromise between the need to facilitate the deployment of mobile broadband and promote spectrum efficiency and the need to protect incumbent interests in both aeronautical telemetry and satellite radio from harmful interference. The rule provides a practical and intelligent solution that will benefit the public by enabling the deployment of latest generation wireless technologies while protecting important services in the adjacent bands. Furthermore, the increased performance requirements for WCS licensees impose reasonable and attainable benchmarks to ensure that rapid build-out occurs.

I have repeatedly said that one of the keys to increased domestic broadband deployment is to make more efficient use of existing spectrum. By 2020, mobile broadband will be the primary Internet access tool around the world, and we must work together to put all available spectrum to its highest and best use. Today we take one more step down that road and close a long and difficult chapter of our spectrum policy. In reliance upon a comprehensive technical record, we address the questions involving mobile operations in the WCS band that were first raised in a Further Notice adopted by the Commission in December 2007 that invited comment on technical proposals by both SDARS and WCS interests.

FCC technical staff, along with representatives of the International and Wireless Communications Bureaus, have thoroughly vetted the many responses in that docket and have held extensive meetings with interested parties to explore and understand outstanding technical issues and seek agreement. In addition, Commission technical staff attended the public tests conducted by SDARS and WCS interests in July 2009 in Ashburn, Virginia to demonstrate conditions necessary to prevent harmful interference. Moreover, Commission staff recently issued a Public Notice inviting comment on the specific text of the rules it planned to recommend to the Chairman and the Commissioners and further extensive comment was submitted in response. My thanks go to everyone across the Commission for their diligent, hard and careful work.

I am also pleased that we have acted to resolve the outstanding questions with respect to the terrestrial repeaters used for satellite digital radio services and related technical issues. All parties will benefit from a final decision from the Commission on these important questions that establish a way forward for both WCS and SDARS services.

Today's action establishes regulatory certainty that should open the door to investment and innovation in the 2.3GHz and adjacent bands. To this end, I hope parties will increase their efforts to improve on the conditions for co-existence that we establish here today and vigorously explore ways in which new technologies can provide additional intelligence to further reduce any potential for interference.

Congratulations and my thanks again to all the Staff who worked on this item.