

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: Policies Regarding Mobile Spectrum Holdings, WT Docket No. 12-269

There is no question that it is time for the Commission to update its policies on measuring how spectrum aggregation impacts competition in the wireless industry. Our last comprehensive review of these policies occurred in 2003, and since then, we have seen a number of developments in mobile wireless services. The two most significant are the dramatic increase in demand for wireless services especially mobile broadband, and the reduction in the number of carriers, providing competitive mobile service options for consumers. It is also worth noting that, in the spectrum provisions of the Act passed earlier this year, Congress reaffirmed the Commission's authority to, and I quote: "adopt rules of general applicability, including rules concerning spectrum aggregation that promote competition."

Under Chairman Genachowski's leadership, the Commission staff has been working diligently to improve our understanding about how all relevant aspects of the wireless market impact competitive options for consumers. We have substantially improved our analysis of the market structure in the annual mobile wireless reports. We have also adopted a number of important rules or proposed policies in the areas of universal service reform, tower siting, data roaming, spectrum sharing, wireless backhaul, and of course, the allocation of more spectrum, for commercial mobile services, to ensure the Commission is doing what it can to promote rapid deployment of more wireless broadband networks.

To ensure the mobile wireless ecosystem continues to offer consumers the highest quality services at affordable prices, we must also review our spectrum aggregation policies to facilitate access, by all providers, to valuable spectrum resources. Therefore, the NPRM properly identifies several relevant factors, the Commission should consider, in properly reviewing and revising these policies. I particularly appreciate the analysis and discussion about how the Commission should evaluate different technical characteristics of the spectrum bands allocated for commercial wireless service. This is relevant to whether spectrum below 1 GHz should be valued as highly as spectrum above 1 GHz. It is also important in determining which currently allocated bands should be included in any spectrum screen we may use in the future. As we learned from the lack of interoperability in the lower 700 MHz band, just because the Commission auctions a spectrum band, does not necessarily mean it becomes immediately available and suitable to offer services to the public.

It is important that we review these policies, in a timely fashion, and take into account any considerations that could also help us design our voluntary incentive auctions. I thank Ruth Milkman, Jim Schlichting, Nese Guendelsberger, and Maria Kirby for their detailed briefing. I also wish to commend Christina Clearwater, and Monica DeLong, along with the other staff members who worked hard to produce an excellent item.