

**REMARKS OF RACHAEL BENDER
AT THE NEW YORK STATE WIRELESS ASSOCIATION
WIRELESS FORUM 2017**

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Thank you. It's great to be in New York. As some of you may know, the Commission had its monthly open meeting today. We had a robust agenda of seven items and I missed most of it to be here with you. I feel like I skipped school on the day of the test.

Before I begin, let me share a few things about myself that you didn't get from my bio. I actually grew up in the tristate area. No, not New York, New Jersey and Connecticut. I'm talking about New York, New Jersey and *Pennsylvania*. I grew up in Greenwood Lake, New York and later Milford, Pennsylvania. But I was born in Hackensack, New Jersey and my family on both sides are from across the river, so I often identify as Jersey. Not surprisingly, I have deep New York ties. I'm a Giants, which is good. I'm also a Mets fan, which is . . . eh right now. My youngest sister is a ballerina-in-training here in the City, which means I indirectly pay rent in New York. I think the clearest sign that I have some New York DNA is that every time I eat a bagel or pizza in DC, I find it completely inadequate . . . and I usually let everyone know about it.

All kidding aside, thank you to the New York State Wireless Association for inviting me to speak. I appreciate this opportunity to talk about Chairman Pai's policy agenda. While I hope that you will be able to draw from the strategies we are pursuing at the FCC, I think it's important to acknowledge that New York has been a national leader when it comes to forward-looking broadband policy.

Your ambitious New NY Broadband Project has invested hundreds of millions of dollars to deploy thousands of miles of fiber to connect tens of thousands of unserved homes and businesses in upstate New York to true high-speed Internet. Knowing a good investment when we see it, the FCC identified New York's broadband initiative as a great opportunity to leverage the impact of our own universal service programs. As many of you know, Chairman Pai's first vote as leader of the Commission was to partner with the State of New York to deliver \$170 million for broadband deployment in upstate areas where residents have been bypassed for too long. So know that you have a partner willing to work with you to build on this and many other initiatives.

I thought it would be helpful to frame my remarks by talking up front about Chairman Pai's high-level goals and priorities. From there, I'd like to discuss a number of his key policy initiatives, particularly what the Commission is doing to promote wireless investment and innovation.

To get a sense of Chairman Pai's priorities, it's helpful to understand two things about Chairman Pai the person. The first is that he was raised in small-town Kansas, not to mention being born in Buffalo, New York. The second is that he is the son of first-generation immigrants, who crossed the ocean to come to this country 45 years ago with little more than \$10 in their pocket, a transistor radio, and a belief in the American Dream.

What do these two things tell us? First, as a son of rural America, the Chairman is attuned and committed to the needs of communities that are too often overlooked. Second, as the son of immigrants, he is a forward-looking optimist committed to the idea that America is the world's great beacon of opportunity.

These principles come through clearly from both his own words and actions.

In his speech to FCC staff on his first full day as Chairman, he talked about his upbringing and declared that he had no higher priority than bringing the benefits of the digital age to all Americans.

He chose to give his first major policy address as Chairman in Pittsburgh to send a message that technological innovation isn't just the confined to the coasts—not that he doesn't love innovation on the coasts.

And just a couple of weeks ago, he took a 1,672-mile road trip from Wisconsin to Wyoming to shine a spotlight on areas of our country that are in danger of being left behind by the digital revolution.

Chairman Pai believes that every American who wants to participate in our digital economy and society should be able to do so. And he believes that the most powerful driver of life-enhancing technological breakthroughs is a competitive free market that unleashes private-sector ingenuity. To realize the promise of technology, we need to empower risk-takers to bring their visions to life.

This naturally brings me to wireless connectivity. Any discussion of digital equity or technological innovation has to have mobile communications front and center.

Mobile broadband has been critically important for many communities that disproportionately find themselves on the wrong side of the digital divide. For example, a new Pew survey reports that two-thirds of Americans over the age of 65 now use the Internet, a significant increase from the beginning of the decade, and a key driver of that change is that the percentage of seniors with smartphones has nearly quadrupled over the past five years.

Of course, mobile broadband has also created millions of American jobs and provided a platform for a constant stream of new applications and services that improve our quality of life. Mobile has given rise to entirely new industries like the collaborative, or, sharing economy. As has been famously noted before, thanks to wireless Internet access, the largest taxi company in the world owns no cars, and the world's most popular media owner creates no content.

Obviously, the big new opportunity for the wireless industry is 5G. This next generation of mobile networks is sometimes described as “wireless fiber.” It promises exponential improvements in speed, capacity, and responsiveness. Chief among the advances 5G will deliver is that it will turbocharge the Internet of Things (IoT). Almost anything and everything will be connected to the Internet from our cars to our clothes—tens of billions of devices generating data to help keep us safer, healthier, and happier. To give you some perspective on the scale of IoT innovation, Cisco projects that it will create \$8 trillion in economic value over the next decade. That's trillion with a T.

And the Internet of Things is just the one big 5G opportunity we know about. We can speculate all day about how 5G will open up new possibilities for virtual reality and augmented reality or self-driving cars, but the really exciting thing is that there will certainly be new innovations that we don't know and have yet to imagine.

The bottom line is that the FCC is committed to seizing these opportunities of wireless communications to grow our economy, create new jobs, and raise living standards for the American people. Under Chairman Pai, we will continue working to make sure that the United States has world-leading wireless networks that are available to all Americans.

So let's talk specifics. What exactly is the FCC doing to unleash the benefits of mobile?

Typically, any discussion of the FCC's mobile agenda starts with spectrum. But for this group, I think it makes sense to break with tradition.

Infrastructure.—Clearly, unleashing spectrum is a central plank of the Commission's wireless agenda, but it is far from the only part. In fact, I think it's fair to say that the biggest shift in wireless policy under Chairman Pai's leadership is a much greater emphasis on removing regulatory barriers and burdens that raise the cost and slow the speed of network deployment.

When you look at the evolution of wireless networks, this makes sense.

As we move from 4G to 5G, network architecture will shift from large, macro-cell towers to densely deployed small cells, operating at lower power. And we are going to need a lot of those small cells. As in hundreds of thousands, if not millions, not to mention many more miles of fiber and other connections to carry all this traffic. That's a lot of siting decisions that will need to be made, and a lot of possibilities for delay and increased deployment costs.

Across the board, Chairman Pai has tasked our bureau and office chiefs with reviewing our rules to identify regulations that are overly burdensome and in need of revision or outright deletion. While this review is ongoing, we've already taken a series of steps to begin the process of removing barriers to wireless infrastructure buildout.

In April, the Commission voted to launch an examination of how state, local and Tribal processes affect the speed and cost of infrastructure deployment and how to improve state, local and Tribal infrastructure reviews, such as zoning requests. In particular, we are asking whether siting applications that are not acted on by state or local governments within a reasonable period of time should be "deemed granted" by Commission rules.

This same item also examines FCC rules and procedures for complying with the National Historic Preservation Act and National Environmental Policy Act. Obviously, we don't want to hastily sacrifice our shared heritage or environment for better cell service. But when our historic preservation requirements are forcing a company to pay hundreds of thousands of dollars for Tribal review for attaching to utility poles in a 15-year-old parking lot, some changes are in order. In fact, on the Tribal front, the Chairman and FCC staff have been conducting a series of consultations and meetings with Tribal leaders in order to help inform our views on how we can move forward to solve some of the issues your companies have been experiencing while respecting Tribal interests. We've also teed up questions on how to deal with long outstanding issue of twilight towers. Overall, we are taking a close look at the costs and benefits of the review processes as currently structured and asking what changes could be made to minimize costs and delays.

In parallel, the Commission initiated a separate rulemaking focused on wireline infrastructure. I mention it to you because it explores pole attachment reforms to make it easier for broadband providers to attach the wires and wireless attachments necessary for next-generation networks. For example, it proposes a streamlined timeframe for gaining access to utility poles by using elements of municipal "one-touch, make-ready" rules. It considers ways to protect pole attachers from being charged multiple times, in addition to the establishment of a shot clock for FCC consideration of pole attachment complaints. It also looks at ways to prevent additional excessive charges, such as the creation of a formula to compute maximum pole attachment rates.

In a third proceeding, the Wireless Bureau has collected comments on a petition filed by Mobilitie, which seeks guidance on how federal law applies to local government review of wireless facility siting applications and local requirements for gaining access to rights of way. The main issue being examined here is how can we prohibit excessive charges for access to public rights of way.

As you can see, the Commission has been focused on these issues, and Chairman Pai is committed to moving forward in a thoughtful, helpful way.

Spectrum.—Now, back to the issue I skipped over a few moments ago: spectrum. As evidenced by his five years at the Commission, the Chairman is firmly committed to making available sufficient amounts of commercial spectrum to meet consumer demand. In a nutshell, the Chairman believes we need an all-of-the-above approach to spectrum, looking at low-, medium-, and high-band spectrum to identify possibilities to put airwaves to more efficient use.

With respect to low-band, we recently wrapped up bidding on our incentive auction, which will reallocate 70 MHz of spectrum in the 600 MHz band from television broadcasters to licensed wireless providers. In New York, five wireless companies won 70 licenses, and we have already issued 55

licenses to three of these carriers. Operators already have indicated an intent to quickly deploy, especially in rural areas, meaning better service and more consumer choice is on the way for many New Yorkers, particularly upstate.

When Chairman Pai talks about an all-of-the above spectrum strategy, that also includes promoting unlicensed spectrum—the platform that gave us WiFi and Bluetooth. We are pleased that the incentive auction is also making available 14 MHz of spectrum for unlicensed use.

Chairman Pai has been particularly aggressive in his advocacy of using high-frequency spectrum previously thought to be unsuitable for mobile use. He helped drive the 2016 rules opening up significant swaths of millimeter-wave spectrum for 5G use. This move has given U.S. operators a clear path to be the first in the world to launch next-generation services, but we're not done yet. At Chairman Pai's direction, we are considering possibilities for opening up even more spectrum for 5G as soon as possible.

Empowering and Protecting Consumers.—In addition to freeing up spectrum and facilitating infrastructure deployment, the Commission also has a role to play in empowering and protecting consumers.

In particular, we want to make sure that every American has access to wireless broadband connectivity. Forget about 5G. Many Americans still lack LTE coverage where they live. That's why the Commission has adopted rules to move forward with Phase II of our so-called Mobility Fund. We will take money that was being used to subsidize wireless carriers in areas where private capital had already been spent to build out networks, and redirect that spending and more—\$4.53 billion over the next decade—in order to bring 4G LTE service to rural Americans who don't have it today. And we're doing it in an efficient, fiscally responsible way by using a competitive reverse auction to allocate these funds.

Another key way the Commission looks out for the public interest is by harnessing the power of communications technology to promote public safety. The Commission has played a critical role in the effort to create a nationwide, interoperable public safety broadband network—an initiative now known as FirstNet. We've given FirstNet a license for 20 MHz of broadband spectrum. We transmitted basic technical requirements to FirstNet for the network. And our spectrum auctions have produced billions of dollars that will be used to fund construction of the public safety network. In fact, the Commission voted just a few hours ago on the state opt-out process so we can keep moving on deployment. And I want to make clear that, looking ahead, the Commission will continue to work with FirstNet and do what we can to help ensure the success of this project.

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Let me close where I started. As you may recall from my opening celebration of the “other” tristate area and my roots, I lived in Greenwood Lake, New York as a child. My grandfather still lives there. Greenwood Lake is about 75 miles from here, but the vibe is understandably very different. There are only about a few thousand residents and the only thing that would make you think of the City is that Derek Jeter owns a house there. And, again, I grew up a Mets fan, so that doesn't necessarily impress me.

Here's my point. New York City is known for being at the cutting edge of innovation. But New York as a state launched an ambitious project to bring digital opportunity to all its citizen no matter where they live, because your leadership understands that if the digital economy isn't working for every New Yorker, it isn't working the way it needs to.

The same is true of our nation. America isn't the land of opportunity for those who live in one particular area of our country. It's the land of opportunity for all. Please know that you have a partner in Washington committed to bringing the benefits of wireless communications to all our citizens, and on behalf of both Chairman Pai and myself, I look forward to working with you all to make that happen.

Thank you.