

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: Unlicensed Use of the 6 GHz Band, ET Docket No. 18-295; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz, GN Docket No. 17-183.

Many people tout particular technologies and/or economic studies showing the value of new use cases to support allocating additional unlicensed spectrum. But, I have never focused intently on such points. While informative, I tend to agree with a previously quoted former employer that the beauty of unlicensed spectrum is that no one can predict what American innovators and creative geniuses will think up next. It's really up to them to turn our efforts into products, services, and endless possibilities for the benefit of our people.

Further, it is undisputed that the exponential growth of wireless data, especially over unlicensed networks, has led to severe congestion in our highly-prized unlicensed spectrum bands, primarily 2.4 and 5 GHz. Consider that total U.S. Internet traffic is estimated to increase three-fold between 2016 and 2021, and Wi-Fi networks will grow to carry almost 52 percent of this traffic.¹ For these reasons, I pushed early in my term to make additional bands available to the unlicensed community – a view also shared by Congress, including in the enacted MOBILE NOW Act. Accordingly, I was one of the first voices to advocate for allowing unlicensed use in 6 GHz and supporters have been able to cajole skeptics to jump on board and help move this Notice forward.

To be clear, this is a prime location for unlicensed services for multiple reasons, but particularly because it is adjacent to 5 GHz and compliments the forthcoming clearing efforts in the C-band downlink band (3.7-4.2 GHz). Moreover, studies in the record demonstrate that unlicensed spectrum at 6 GHz can likely be done without causing harmful interference to existing incumbents. Now, if we could only open up the 5.9 GHz Band for unlicensed use as well, for which I believe there are four solid votes in favor, we would really be on to something special, as it's the missing link between the 5 GHz and 6 GHz bands.

Since today's Notice takes a giant step to open a large swath of spectrum needed for increased capacity, higher speeds, and lower latency for unlicensed 5G or technologies not yet envisioned, it has my full support. I look forward to exploring the issues raised in it, including the best means to protect incumbents from harmful interference. I thank the Chairman for bringing this to a long-awaited vote and all my colleagues for agreeing to add questions at my request, such as those pertaining to low-power indoor use in the newly-minted UNII-5 and UNII-7 bands, including seeking comment on permitting such operations without an automatic frequency coordinator, and the use of portable devices. I know these ideas, and many others in the Notice, may raise initial concern from some, but these are discussions that need to be had and everyone will have an opportunity to express their views.

¹ Cisco, VNI Forecast Highlights Tool, United States, 2021 Forecast Highlights, https://www.cisco.com/c/m/en_us/solutions/service-provider/vni-forecast-highlights.html# (last visited Oct. 23, 2018).