

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
CONCURRING**

Re: *Communications Marketplace Report*, GN Docket No. 18-231; *The State of Mobile Wireless Competition*, WT Docket No. 18-203; *Status of Competition in the Market for the Delivery of Video Programming*, MB Docket No. 17-214; *Status of Competition in the Marketplace for Delivery of Audio Programming*, MB Docket No. 18-227; *Satellite Communications Services for the Communications Marketplace Report*, IB Docket No. 18-251.

Over time at the Federal Communications Commission, we have put together a lot of reports that are required by Congress. We gather data about the state of competition in the mobile wireless market, the satellite market, and the video market. We look at the characteristics of each of these different industry segments, the state of deployment of communications capabilities, and barriers to entry. We dig deep into facts about broadband, compiling statistics about availability and speed. In some cases, we take what we learn and benchmark it against what other countries are doing.

Make no mistake—all of this activity is important. The reports that are carefully crafted in our halls become useful evidence for decisions about merger approvals, ongoing regulatory initiatives, and even new legislation. So they not only inform our work, but the work of Congress and other expert agencies like the Department of Justice and the Federal Trade Commission. And for every day consumers, they might be the only source of public data about the state of the industry.

This year we're doing things a little bit differently. That's because Congress has asked us to consolidate much of our reporting activity into a single, comprehensive report. For the first time, we are taking virtually everything we know about the communications marketplace and making it available in one place. I thank our staff at the agency for its effort in response to this Herculean task. It does the job we were assigned to do.

But I think this new reporting model offers a bigger opportunity—and we should seize it. We should be taking steps now to ensure that this first report provides us with a solid going-forward analytical basis for the communications market of tomorrow. One that provides data and facts that can be better absorbed, organized, and used to make smart laws and policy for the future. Because this is the kind of information we need if we want to have a thriving communications sector and a resilient democracy in the 21<sup>st</sup> century.

I fear, however, that today's report is letting that opportunity pass us by. Let me explain.

First, in each of the sections of this document there is something about the analysis that feels old and stale. The individual reports tell us a bit about where we are but nothing about where we are going. Take the wireless report, for starters. Reading it, you would have no idea that the industry is in the middle of a transformative change to next-generation networks, technologies, and services. Or that there is pending before this agency a request to combine the third and fourth largest wireless service providers. And despite combining this year's wireless report with the reports on fixed broadband, video, and satellite, you will find not a thing about the future of convergence. In other words, we only have a backward-looking story.

The FCC should be using this new format to stop thinking so narrowly—especially about our wireless markets. Going forward wireless is much more than the sum total of the phones in our palms, pockets, and purses. Instead, we will have connectivity coming to cars and homes, powering our smart cities, and informing data analytics in powerful ways that can make us more efficient and effective in so many sectors throughout the economy. I am weary of reports that fail to see this future—because the market is bigger and bolder than what gets reported on in the here and now.

Second, this report doubles down on data we know is flawed, and in some cases just plain wrong. That's because we continue to rely on third parties to provide us with a lot of the information you'll find in this report. I think that—as the expert agency—we should be gathering this data ourselves or at the very least validating or qualifying it before we pass it along to Congress to inform their decision-making. As I've suggested elsewhere, this agency needs to be more creative about gathering data and needs to explore the power of crowdsourcing to inform our work. Why not start with a broad effort to engage the American public in developing a broadband and wireless map, for instance? It's time to embrace the wisdom of the crowd and not just rely on the same-old, same-old industry-supported tools in our toolbox.

Third, today's report fails to build on good progress this agency has made over the course of previous reports. In fact, it reverses course by cutting out important data that we previously made available. Our video reports used to discuss how broadband deployment and provider practices such as data caps and zero rating alter consumer video viewing habits. That is gone. Our wireless reports used to discuss the entire mobile wireless ecosystem, including input markets like towers and backhaul and output markets like mobile applications and content. That, too, is gone. We may have a slightly shorter report, but we miss the bigger picture and the lessons to be gleaned from it.

Finally, this report should not ignore some of the hard facts that are coming to light in other recently available data. Wireless market concentration, as measured by the Herfindahl-Hirshman Index, is at an all-time high. According to new study, American consumers are paying some of the highest prices for mobile data anywhere in the developed world. Almost 20 million Americans still do not have access to broadband and, according to recent reports, more than 160 million Americans are not using it. The rural divide is as pronounced as ever with one in four rural Americans lacking access to high-speed broadband compared with just one-and-a-half percent of urban Americans. Plus, the FCC's official maps—which are supposed to tell us where broadband and wireless service does and does not exist—have major inaccuracies in them.

We have real work to do—not just in updating our reporting for tomorrow's communications marketplace, but in learning from it. For that reason, I concur.