

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Updating the Commission's Rule for Over-the-Air Reception Devices*, WT Docket No. 19-71

The Commission has already taken many necessary steps to facilitate broadband network construction in rural America and to realize the full potential of 5G technologies. Today, we look at another means to ease the burdens of infrastructure siting by opening a new proceeding to inquire whether the Commission's rules for over-the-air reception devices, or OTARD, can be updated to expedite and lower the cost of network deployments.

I am enthusiastically supportive of a wide array of efforts that will get next-generation broadband networks built, deliver 5G services to the American people, and ensure continued U.S. leadership in wireless technologies. We simply cannot accept unnecessary and indefensible barriers to infrastructure deployment, especially when so many Americans are without adequate service options and need us to act quickly. So, congrats to the creativity of the Commission staff and those outside parties providing sound recommendations on the topic.

At the same time, this item should be a gentle reminder that exact and precise statutory language is important, as language can sometimes be stretched and maneuvered to meet newer FCC goals that were not foreseen at the time a law was passed. By way of background, the Telecommunications Act of 1996 and the Commission's original OTARD rules focused on eliminating restrictions that would prohibit the use of an antenna on a consumer's leased or owned property to access over-the-air video programming, including television broadcast signals and DBS services. However, in 2000 the scope of our rules was greatly expanded to apply to consumer-end antennas used in fixed wireless systems. Now, we are considering extending these rules to all fixed wireless transmitters and receivers, if they fit certain size limitations. To be clear, I'm all for this interpretation and believe it's consistent with the law even if Congress didn't actually intend for the provision to extend to broadband mesh networks when the statute was passed.

Accordingly, I approve today's notice and look forward to engaging with interested parties on this matter.