

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS
APPROVING IN PART, DISSENTING IN PART**

Re: *Auction of Flexible-Use Service Licenses in the 3.7–3.98 GHz Band for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 107; Bidding in Auction 107 Scheduled to Begin December 8, 2020; AU Docket No. 20-25.*

My perspective on the fundamentals underlying this item haven't changed. Under the majority's decision from this February, we're paying nearly \$10 billion of taxpayer money to foreign satellite companies to vacate spectrum that belongs to the American people, based on a formula that has nothing to do with the companies' relocation costs.

Nearly six months later, and we still have tremendous uncertainty surrounding this bad deal. The DC Circuit is now considering two sets of challenges to the February order. Intelsat has declared bankruptcy, and the former C-Band Alliance has turned into a circular firing squad. And last week's Bureau-level decision on lump-sum reimbursements has generated yet another issue by dramatically limiting the ability of small cable companies to replace their satellite connections with fiber that could have helped with rural broadband expansion. Now those companies may create yet another front attacking this proceeding in court. Who knows what will happen next?

All of this confusion affirms what I said back in February. Instead of racing ahead with a half-baked decision, we should have allowed Congress to act here, as it did with the 700 MHz band nearly 20 years ago. Doing so would have avoided this uncertainty and ensured that the proceeds from this auction went towards the needs of the American people and not to the coffers of foreign satellite operators.

While I dissent from the underlying decision to proceed with the auction under these circumstances, I support the basic auction rules we adopt today. Thank you to the Office of Economics and Analytics for its work on this item.