

**STATEMENT OF
COMMISSIONER GEOFFREY STARKS**

Re: *Partitioning, Disaggregation, and Leasing of Spectrum*, WT Docket No. 19-38, Report and Order and Second Further Notice of Proposed Rulemaking (July 14, 2022)

There are no easy fixes to digital exclusion. But, to be sure, creative policy-making is an essential part of the solution. That's why I'm pleased to support the new Enhanced Competition Incentive Program, or ECIP, which attacks the problem by strengthening the spectrum marketplace in rural and Tribal areas where the connectivity divide runs deep.

We know that smaller marketplace participants are eager to put spectrum to use in Tribal Nations and across rural America. Shortly before we proposed ECIP, I met with the Red Cliff Tribal Nation, which couldn't attract competitive buildout by a local licensee and wanted to build its own wireless network—but couldn't find a way to access the spectrum. We need to make it easier for Tribal Nations like Red Cliff to access unused airwaves, and for smaller carriers and other companies focused on rural deployment to do the same. That's exactly what the ECIP does, and that's why I'm excited about it. The program will extend license terms and construction deadlines for eligible participants, removing regulatory barriers that can discourage efficient, win-win secondary-market spectrum transactions. Rural-focused entities also would benefit from substantive construction requirements that better fit their business plans, and every licensee would have the ability to reaggregate spectrum on the back end—which should make it easier for them to parcel off spectrum to smaller providers on the front end.

These are all practical, common-sense steps that can improve the functioning of the spectrum marketplace—if they are not abused. I welcome the specific, concrete, and tailored steps that we take in this item to prevent ECIP waste, fraud, and abuse. Going forward, we need to keep a close eye on the program to make sure that unscrupulous actors do not exploit our rules and get a pass on their buildout obligations. Bad behavior in this program would not just make a mockery of our rules and authority. It also would delay the introduction of new wireless services in rural and Tribal communities that inevitably would be left holding the bag.

Now, a program like ECIP has been a long time coming, and I'm excited to see its impact in coming years. Speaking of impact, I'm glad to see us follow through on my proposal to complete a comprehensive evaluation of the program after five years. As I've said before, agency policymaking shouldn't be a "set it and forget it" exercise. We need to put the effort in to review whether our policies are actually achieving their objectives, and to learn from experience and implementation to make successful programs even better.

I also welcome the Further Notice's focus on not just improving ECIP, but also modernizing our service rules to account for private wireless deployments by all flexible use licensees. Private wireless technologies hold enormous potential. They can improve efficiency and the consumer and worker experience in boundless ways—and can have an extraordinary enabling effect when it comes to reducing our carbon footprint. In fact, a recent study estimated that 5G use cases could net us 20% of the total reduction needed for the United States to reach its 2030 emissions targets. Much of that reduction would stem from wireless deployments that enable smart agriculture, smart manufacturing, smart infrastructure, and smart cities, among other efficiency-driven applications.

The economic and environmental promise here is substantial, which is why we need to make sure these use cases are deployed to the fullest possible extent. That's why I'm pleased my colleagues accepted my suggestion to seek comment on ways to ensure that every part of the country with demand for private wireless has the connectivity it needs to make those use cases a reality. Private wireless won't always map to population, or to areas of concentrated enterprise demand. We need to make sure that does not lead to gaps in coverage that leave rural businesses, and rural infrastructure, behind as the rest of country moves full-speed ahead with wireless digitalization. In much the same way, we need to examine

responsible ways to ensure that licensees who serve rural businesses and infrastructure have their efforts counted toward their buildout obligations. Again, this is a competitiveness issue, and it is an environmental issue. I look forward to reviewing a robust record on ways to solve it.

I also wanted to thank the Wireless Telecommunications Bureau for their hard—and quick—work on this important item.