

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems*, IB Docket No. 21-456; *Revision of Section 25.261 of the Commission's Rules to Increase Certainty in Spectrum Sharing Obligations Among Non-Geostationary Orbit Fixed-Satellite Service Systems*, RM-11855, Order and Further Notice of Proposed Rulemaking (April 20, 2023)

When I announced my plan to reorganize the Federal Communications Commission and establish a new Space Bureau, I said it was about ensuring that our policies keep up with the incredible pace of activity in the space sector. I said that in light of this activity we need to identify how our existing frameworks may need to be reexamined and updated. After all, you cannot just keep doing things the old way and expect to lead in the new.

Today's effort is a testament to this proposition. We adopt a new framework for spectrum sharing among non-geostationary fixed satellite service systems that promotes efficiency, competition, and innovation. All three are essential for the growing space economy.

It has long been the practice of the Commission to license these satellite constellations in processing rounds. In practice, this means that satellite systems that get their applications in early during the same round have equal rights to the shared spectrum in the band. But for applications that come in later, it's a different story. They have to protect these earlier systems and work around the incumbents that are already there. This means systems in the earlier round get a first-mover advantage. This can be a good thing because it provides early entrants with the certainty needed to invest in costly and complex satellite deployments. But the downside is that when this first-mover advantage continues in perpetuity it shuts out would-be competitors, prevents newer deployments, and discourages operators from transitioning to more efficient systems that are better suited to sharing. That's a not-so-good thing. So today we update this process. We adopt a sunset on this spectrum priority that kicks in ten years after a later-round system is authorized. Now the first movers will enjoy the advantage they've earned by daring to think big and take on that risk, but they won't be able to hold on to that regulatory privilege forever. This will open our skies to more competition.

We also adopt rules that bring more certainty to the rights and obligations of systems within a processing round and among different processing rounds. Under our old framework, there was an incentive to refuse to coordinate with your competitor and block them from entering the marketplace. Today we fix that. We clarify that it is the responsibility of all parties to coordinate in good faith and to exchange the information with each other that is necessary to ensure the shared spectrum resources used by satellite systems can accommodate new innovation and new ideas.

These updates are smart and modern. They reward early investment but also help clear the way for new entrants. They promote spectrum efficiency and open up possibilities for new innovation without regard to the date of system authorization.

I am proud to have this be the first effort presented for vote by the new Space Bureau. Congratulations to Julie Kearney, the Chief of the Space Bureau, and to her team. There is more to do and I am looking forward to working with the Bureau to make it happen.

Thank you to the agency staff who worked on this important rulemaking, including Clay DeCell, Jennifer Gilson, Julie Kearney, Karl Kensinger, Adrienne McNeil, Kathryn Medley, Kerry Murray, Stephanie Neville, Jeanine Poltronieri, Sankar Persaud, Troy Tanner, and Merissa Velez of the Space Bureau; Michael Carowitz, Kimberly Cook, Matthew Gibson, Jason Koslofsky, Shannon Lipp, Jeremy Marcus, Ryan McDonald, Janet Moran, Elizabeth Mumaw, Victoria Randazzo, and Dedrick Roybiskie of the Enforcement Bureau; Paul Lafontaine, Catherine Mataves, Giulia McHenry; Michelle Schaefer, and Aleks Yankelevich from the Office of Economics and Analytics; Tom Sullivan from the Office of International Affairs; David Konczal and Bill Richardson from the Office of the General Counsel; and Cara Grayer and Joy Ragsdale from the Office of Communications Business Opportunities.