

**STATEMENT OF  
CHAIRMAN MICHAEL K. POWELL**

*Re: Unlicensed Operation in the Band 3650-3700 MHz; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band; Amendment of the Commission's Rules with Regard to the 3650-3700 MHz Government Transfer Band, ET Docket Nos. 04-151, 02-380 and 98-237*

There has been tremendous progress in the past few years in the development of smart/cognitive radio technologies. This Notice of Proposed Rulemaking takes a hard look at 50 MHz of spectrum in the 3650-3700 MHz band which has the potential to make use of these technologies to promote more efficient use of spectrum and to provide new and advanced telecommunications services and technologies to all Americans. With protected earth stations primarily on the coasts, this band appears particularly promising for extending broadband service in rural areas, such as by wireless internet service providers. Some of these uses could potentially complement unlicensed operations in other bands, such as 2.4 and 5.8 GHz that could allow greater flexibility and continuity in the creation of devices for consumers. This may be another giant step in our effort to bring affordable broadband services to all Americans.

We tentatively conclude that we should allow unlicensed operations with smart radio techniques with fixed satellite services in these bands. To ensure that we have the ability to move forward on whatever approaches will best achieve our goals regarding enhanced services, we welcome consideration of alternative proposals and approaches that could potentially allow the use of both unlicensed and licensed terrestrial services.