

SEPARATE STATEMENT OF COMMISSIONER
MICHAEL J. COPPS

RE: Improving Public Safety Communications in the 800 MHz Band (Report and Order, Fifth Report and Order, Memorandum Opinion and Order and Order).

Today we take a giant leap forward to protect public safety. Title I of our enabling statute charges the Federal Communications Commission to promote the national defense and the safety of life and property through the wise use of our country's communications systems. Indeed, a public servant has no higher obligation than tending to the safety of the people.

It took a long time and a lot of hard work to get us here today. Along the way we discovered that no plan is perfect, no plan is supported by all parties, and no plan is guaranteed to deliver everything that it promises. Challenging technical questions were accompanied by equally challenging questions of policy and of law. At the end of two years of study, analysis and stakeholder input, we have now come to a decision that can fix the problems it addresses, advance public safety and serve the public interest.

Today we approve a reconfiguration of the 800 MHz band so that public safety spectrum is insulated from interference from Nextel operations and public safety is given access to additional spectrum to do its job. We mandate that Nextel pay all relocation costs, even if they are above the \$850 million figure that the company has discussed. We mandate that Nextel secure an irrevocable letter of credit for \$2.5 billion so that the public safety community knows that it will have the money it needs to relocate. We establish a transition manager that will be independent of any one interest, and that I hope will work to make the transition serve the public interest of minimizing interference and getting public safety operations to a stable place as soon as possible. We state that upon receiving the Comptroller General's analysis of appropriations statutes, we can stay relevant portions of the Order if appropriate. And finally, we establish a mechanism to protect tax-payers against private sector windfall.

It's a good day for public safety, a good day for America. I think the citizens of our country now are looking to us—all of us—to get on with the job of putting this plan into action. Time and delay are not our friends here.

I want to express my thanks to my colleagues, particularly the Chairman, to the Bureau and to our hard-working staffs for the extraordinary time, skill and energy they put into this long-running proceeding. And I want to express my deep thanks to the public safety community that worked so hard, traveled so far and thought so creatively to bring us to where we are today. The perseverance of all is certainly appreciated by this Commissioner.