

**STATEMENT OF
COMMISSIONER KEVIN J. MARTIN
APPROVING IN PART AND CONCURRING IN PART**

Re: Year 2000 Biennial Regulatory Review – Amendment of Part 22 of the Commission’s Rules To Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and other Commercial Mobile Radio Services, Order on Reconsideration, WT Docket No. 01-108

I approve in part and concur in part for the reasons stated in my earlier statement in this proceeding. *See Separate Statement of Commissioner Kevin J. Martin, Year 2000 Biennial Regulatory Review – Amendment of Part 22 of the Commission’s Rules To Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and other Commercial Mobile Radio Services, Report and Order, 17 FCC Rcd 1840 (2002).* Moreover, as I have explained, I disagree with the standard the Commission has adopted for biennial reviews pursuant to Section 11 of the Communications Act, 47 U.S.C. § 161(a). *See generally Separate Statement of Commissioner Kevin J. Martin, 2002 Biennial Regulatory Review, Report, 18 FCC Rcd 4726 (2003).*