

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services, Notice of Inquiry

This is an important Report. It is used in our Commission's proceedings on general regulatory reforms and individual mergers. The data that we rely on for this report is incomplete, as has been noted in the Report itself for the past several years. Given our reliance on the Report and our lack of data on important issues such as churn, rural pricing, and the presence or absence of head-to-head competition, we should strive to improve our data gathering. Rigorous and non-arbitrary government decision making demands that we obtain a more complete picture of the marketplace than we have. And I should note that this process does not currently require carriers to file any data. We rely on voluntary filings and our own investigation.

But even if we Commissioners did not believe that we need to gather data each year, we would still be required to undertake this task and to perform a rigorous analysis of the data we gather. That is because Congress told us to do so in the Telecommunications Act. Congress did not say to make assumptions about competitiveness or to rely on last year's data. It compelled us to "review competitive market conditions with respect to commercial mobile services" and to perform an "analysis of those conditions." We should not exchange our judgment of where to place Commission resources for Congress's judgment. So, although there may be changes to this item that I would make, and other data that I would seek, I congratulate the staff for their hard work in putting together this NOI so that we can fulfill our responsibility.