

**SEPARATE STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN**

*Re: Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers;  
WT Docket No. 05-265*

Concerns about roaming have become more and more widespread over the past several years. Whether in the context of recent mergers or other rulemakings, we are hearing regularly from small and mid-size carriers who are becoming increasingly frustrated with their inability to negotiate automatic roaming agreements with larger regional and nationwide carriers for the full range of CMRS services. Not surprisingly, consolidation in the wireless industry over the past 12 months has only served to amplify existing concerns about the current state of roaming practices.

So I am very pleased we are initiating a proceeding that will explore all aspects of the issue of roaming and more specifically the effects of consolidation on the ability of smaller carriers to negotiate access to larger networks. While CMRS providers are subject to the common carrier provisions of Title II of the Act, including Sections 201 and 202, I support the item's request for comment on whether existing remedies under these provisions of the law have been sufficient to ensure the continued development of automatic roaming services.

I strongly encourage interested parties to provide as full and complete a record as possible in this proceeding. Unfortunately, it can sometimes be difficult to determine where the lines are between reasonable business practices and unreasonable discrimination, and we need to hear from industry on where these lines may fall. Parties concerned about roaming practices should supply us with as much detail as they can so that we truly are informed about the current status of roaming in the wireless industry.

Finally, I want to thank the Chairman and the Wireless Telecommunications Bureau for initiating this new proceeding so quickly. I was willing to delay a discussion of roaming issues in the context of recent mergers provided that we committed to get an industry-wide proceeding launched quickly. I fully support our item today because it responds to my concerns and is a positive and timely step forward to considering this important issue.