

**CONCURRING 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.

This is the tenth year we have issued a Report on wireless competition in America. I am pleased that the quality of these reports is improving—as, for example, in the competition analysis that we conduct. But we’re not all the way there yet, and I concur because of arguments and omissions that continue to concern me.

In requiring these Reports, Congress tasked us with doing an “analysis of whether or not there is effective competition” in commercial mobile services. Yet we still fail to define “effective competition” – and this limits the ability of the Commission and the Congress to rely on our results. I also remain troubled by our inability truly to assess coverage for rural communities. The Report states that ninety-seven percent of Americans live in counties with three or more competitors—but that does not mean that all residents of a county actually have access to three or more competitors. It could mean—and we lack the data to know—that access is focused along a highway that cuts through a county. Going forward, the Commission needs to look for additional data sources so that we can more accurately assess rural coverage in future Reports.

The Report further claims that consumers do not face difficulties obtaining the information they need. Why then do we continue to receive consumer complaints about wireless services, including complaints about confusing wireless bills, hidden and expensive fees, and service maps that do not adequately allow consumers to determine where they will get service?

Notwithstanding the concerns I have expressed, we should recognize that the Report shows that more consumers have mobile phones than ever before and consumers benefit as carriers introduce innovative offerings and pricing plans and roll out new services. It is because of the growing importance of these technologies and services that the Commission needs to do the best possible job of studying and monitoring developments. Increasing consolidation in the industry also argues in favor of making sure that improvements continue and that we avoid problems that could harm consumers and competition.