

**STATEMENT OF  
COMMISSIONER ROBERT M. McDOWELL**

RE: *Unlicensed Operation in the TV Broadcast Bands, Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band*, First Report and Order and Further Notice of Proposed Rulemaking, ET Dockets No. 04-186, 02-380

I am excited about this item because it starts a chain of events that will lead to an explosion of entrepreneurial brilliance. I am also delighted that it provides tremendous opportunities for further unlicensed use of these slices of the spectrum. Like my fellow commissioners, I am committed to ensuring that the Commission takes advantage of all opportunities to spur technological innovation and increased access to broadband services. Additionally, I believe that permitting entrepreneurs to operate in the TV bands will benefit manufacturers, service providers and consumers by fostering the development of new delivery platforms and enhancing the range of existing platforms. At the end of this process, I am confident that the American economy will be strengthened and American consumers will reap the rewards.

I thank the Chairman for his strong leadership in handling the multiple conflicting interests at issue here in a deliberate, thoughtful manner. I am delighted that the Commission has laid down a timetable that will help ensure that consumer products will be available for sale at the conclusion of the DTV transition in February 2009. In the interim, we are proceeding mindful of the need to protect from harmful interference not only broadcasters, but all authorized commercial and public safety entities that operate in the TV bands as well. In this regard, I also want to thank the OET staff for their diligence and acknowledge the challenging work that faces them. I am pleased that the Commission's in-house experts will undertake a rigorous testing program, to include DTV converter boxes (once they become available), in order to quantify and analyze potential interference from unlicensed devices operating in the TV bands.

Given that we have a deadline, I look forward to working closely with my colleagues and all stakeholders to ensure that the process to make more efficient and effective use of the TV spectrum proceeds smoothly.