

**STATEMENT OF
COMMISSIONER DEBORAH TAYLOR TATE**

Re: *Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems (ET Docket No. 00-258); Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands (WT Docket No. 02-353).*

Advanced Wireless Services (AWS) are new and innovative fixed and mobile terrestrial wireless applications using bandwidth that is sufficient for the provision of a variety of voice and data applications, such as video telephony, wireless Internet access, multimedia streaming, and other high-speed information and entertainment services. These and other advanced services are essential to the future of our economy as we compete in a world increasingly dependent upon the immediate availability and exchange of vast amounts of information.

The future of wireless services will include the existing services of Broadband Radio Service (BRS) and Fixed Microwave Service (FS), but it will also – and must also – include AWS. Today, we take a significant step toward that future. Our action today represents a balancing of interests, as we help to facilitate the introduction of AWS in certain spectrum bands, yet take steps to ensure the continuation of BRS and FS service to the public. Those steps include cost sharing rules requiring relocation reimbursement from AWS and Mobile-Satellite Services (MSS) entering the bands, as well as relocation policies designed to minimize interference and provide relocating incumbents the right to comparable facilities.

I have always believed that the parties are in the best position to formulate resolutions, through negotiation, that take into account their individual business plans. I agree, however, that, as provided in this Order, regulatory intervention is appropriate where the parties fail to reach such resolution. Therefore, we also establish a mandatory negotiation period in which the parties must negotiate for relocation in good faith *before* a new entrant can trigger the involuntary relocation process.

For all these reasons, I support this Order.