

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

Re: Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers, WT Docket No. 05-26, Report and Order and Further Notice of Proposed Rulemaking, FCC 07-143

I support today's narrowly-tailored action to codify wireless carrier obligations regarding automatic roaming. Today we are acting consistently with the Commission's general policy to allow competitive market forces, rather than regulations, to foster the development of wireless services, subject to the protections of Sections 201 and 202 of the Communications Act. For example, we are refraining from: imposing negotiation mandates; setting rates; creating a new class of wireless carriers; and initiating an investigation of roaming practices. Our light regulatory approach will benefit wireless consumers because we are allowing the industry to fulfill consumer expectations of anytime, anywhere communications through seamless roaming arrangements.

Given that the market for non-interconnected services provided over advanced broadband networks is still developing, it is appropriate that we are seeking additional comment on the implications of extending the automatic roaming requirement to these services. Although it is possible that unrestricted data roaming obligations may benefit consumers by providing a wider availability for the data features they increasingly rely upon, it is equally important that the Commission not inhibit innovation and investment by distorting incentives to differentiate products. I recognize and appreciate the complicated legal and economic factors involved, and I look forward to hearing from interested stakeholders on this aspect of the market. In the meantime, I strongly urge the private sector to work together to forge solutions for the benefit of all wireless consumers.

Thank you to the staff of the Wireless Bureau, my colleagues, and especially Chairman Martin.