

**STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN**

*Re: Wireless Operations in the 3650-3700 MHz Band (ET Docket No. 04-151); Rules for Wireless Broadband Services in the 3650-3700 MHz Band (WT Docket No. 05-96); Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band (ET Docket No. 02-380); Memorandum Opinion and Order*

A little over two years ago, I was very pleased to support the Commission's innovative decision to make the spectrum in the 3650-3700 MHz (3650 MHz) band available on a licensed, but non-exclusive, basis. In many respects, this was a bold statement. We wanted to take advantage of the success of the WiFi movement and take it to another level. We wanted to find the right balance between a licensing model for traditional, area-wide mobile systems and a model for unlicensed, consumer-based services. Our licensing regime for the 3650 MHz band will serve as a wireless highway between small towns and the big city – it will facilitate the delivery of broadband to all corners of the country by serving a different user group, one that often is driven by more localized, community based needs.

Since our initial decision, I have talked often about the public interest benefits of the new licensing rules for the 3650 MHz band. I have spoken with many supporters of our decision, and with those who believe the band would be better used on an exclusive basis. But I remain convinced the hybrid licensing approach that we first adopted for the 3650 MHz band is the correct one, and I enthusiastically support our reconsideration order today.

During my time at the Commission, I have pushed for flexible licensing approaches that make it easier for community-based providers to get access to wireless broadband opportunities, and the rules we affirm for the 3650 MHz band should help make wireless broadband services available to a large number of new users. Today, we uphold our earlier decision to put in place a regime that doesn't rely on first in time and provides equal access to all. I have heard from representatives of the Community Wireless Network movement about our 3650 MHz licensing rules, and they are thrilled with the hybrid approach and the positive impact it will have on their efforts to deploy broadband networks in underserved communities around the country.

So, once again, I wholeheartedly support our 3650 MHz licensing decision. Of course, only time will tell if this unique approach will result in increased use of this spectrum band. But I think that given the success of unlicensed wireless networks, we are on the right track, and our creative spectrum management approach is well justified.