

**STATEMENT OF
COMMISSIONER MEREDITH A. BAKER**

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 Mobile Wireless including Commercial Mobile Services, WT Docket No. 09-66

I am happy to vote in favor of this *Notice of Inquiry*, which will facilitate the Commission's ability to gather broader information and data regarding the state of competition in the mobile wireless market. Today's *Notice of Inquiry* expands the scope of the annual Competition Report to analyze Commercial Mobile Radio Services (CMRS) as part of the mobile wireless market ecosystem. I commend the staff for their thoughtful work and creativity.

By seeking comment on how a greater segment of the wireless industry – such as infrastructure, spectrum input, applications, content, and devices – affects competition, we are improving our ability to analyze the marketplace. I hope that interested parties, which may not have commented on the *Fourteenth Competition Report Public Notice*¹ because the scope was limited solely to CMRS, will take this opportunity to participate.

I am pleased that today's *Notice of Inquiry* poses important questions about an array of components impacting the wireless sector and inquires as to whether we should modify the framework we use to analyze market conditions. We must ensure that we are applying the best data framework to accurately determine the state of the competitive environment. I have a particular interest in spectrum matters, and, more specifically, the means and tools to maximize spectral efficiency and optimize spectrum use and management. Therefore, I applaud that, as part of this overall inquiry, we request quantitative and qualitative data to inform our analysis of how spectrum holdings and infrastructure affect overall competition. I am also pleased that the *Notice of Inquiry* recognizes the important role that consumers play in influencing the development of wireless products and services and requests data and information regarding how their purchasing decisions affect the marketplace.

At the same time, although there are benefits in collecting additional data regarding the wireless marketplace, we must be mindful that we may be seeking information about services that the Commission may not have the authority to regulate. That said, I look forward to reviewing the information and data that we receive as a result of today's inquiry, along with the pleadings filed in response to the *Fourteenth Competition Report Public Notice*, and engaging with staff, interested parties, the Chairman, and my fellow Commissioners on issues relating to competition in the wireless industry.

¹ Wireless Telecommunications Bureau Seeks Comment on Commercial Mobile Radio Services Market Competition, WT Docket 09-66, *Public Notice*, DA 09-1070 (WTB rel. May 14, 2009).