

**STATEMENT OF
COMMISSIONER ROBERT M. MCDOWELL**

Re: *Promoting More Efficient Use of Spectrum Through Dynamic Spectrum Use Technologies*, ET Docket No. 10-237, Notice of Inquiry; *Promoting Expanded Opportunities for Radio Experimentation and Market Studies under Part 5 of the Commission's Rules and Streamlining Other Related Rules*, ET Docket No. 10-236, *2006 Biennial Review of Telecommunications Regulations—Part 2 Administered by the Office of Engineering and Technology (OET)*, ET Docket No. 06-105, Notice of Proposed Rulemaking.

I am delighted to support both of these actions, and I thank our talented and hard-working Office of Engineering and Technology and Wireless Telecommunications Bureau teams for your diligence and creativity. The American wireless marketplace is dynamic and explosive; it is a world leader in innovation and competition. And it certainly offers one of the brightest rays of growth and opportunity in the American economy.

Given this context, I am pleased that we are starting to do the heavy lifting today – to undertake longer term spectrum planning. As always, I look forward to working with Chairman Genachowski, and all of my colleagues here, to begin the process of putting more spectrum into the hands of consumers.

The notice of proposed rulemaking seeks comment on new ideas to promote innovation and efficiency in spectrum use in our Part 5 Experimental Radio Service (ERS) rules. Our ERS program is a wonderful example of success as evidenced by the variety of new technologies begun as experiments and subsequently deployed as valuable services relied upon by American consumers every day. These successes include: the Personal Communications Service, air-to-ground communications, and new life-changing medical devices, to name just a few.

As an overarching matter, I hope our updated rules will adhere to the Commission's more recent "flexible use" policy. Old style "command and control" (read: prescriptive) rules not only hamper creative entrepreneurs who are in the best position to understand and satisfy consumer demands, they cause spectral inefficiencies as well.

With respect to our notice of inquiry regarding ways to encourage dynamic spectrum use, I have long emphasized that spectral efficiency, and seeking new ideas for dynamic uses, when it comes to undertaking longer term spectrum planning, are crucial in light of the realities that are shaping America's wireless future. In practical terms, even if we could identify 500 megahertz of quality spectrum to reallocate today, the better part of a decade would pass by before we could write proposed auction rules and band plans, analyze public comment, adopt rules, hold an auction, collect the proceeds, clear the bands, and watch carriers build out and turn on their networks for their customers. So, in the meantime, helping innovators create and deploy new technologies to enhance more efficient use of the airwaves has to be a top priority for all of us.

While we sort through the complex issues associated with freeing up more spectrum for the longer term, I look forward to learning more about technologies that will allow wireless providers to take better advantage of the immediate fixes already available in the marketplace.

These include more robust deployment of enhanced antenna systems; improved development, testing and roll-out of creative technologies such as cognitive radios; and heightened consideration of the use of femto cells. Each of these technological options augments capacity and coverage, which is especially important for data and multimedia transmissions.

We are at the very beginning of what will surely be a lengthy process. I look forward to giving these and other issues the careful and thoughtful consideration that they deserve.