

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, Order on Reconsideration, WT Docket No. 07-293 and IB Docket No. 95-91*

This agency's commitment to helping mobile wireless providers find solutions to the looming spectrum crunch is clear. Sometimes, this means embarking on unprecedented regulatory actions, as we did last month, to open a proceeding on the world's first ever reverse incentive auctions. Other times, it may mean taking new, creative approaches, such as changing our Part 101 rules, to enable more wireless backhaul services. Then there are times, when we must resolve technically difficult, contentious, disputes that have prevented the use of spectrum already allocated for wireless service.

This proceeding has been especially challenging for this Commission, because the technical rules requested by WCS licensees, were vigorously opposed by some members of the aviation industry, and satellite radio operators. In May of 2010, we thought we solved these problems. But, as the parties pointed out, there was more work to be done.

Fortunately, WCS licensees and satellite radio providers, found a way, to move from focusing on litigation, to working toward consensus. They reached agreement on technical service rules for the WCS spectrum that help to resolve potential interference concerns, and facilitate efficient deployment of their services.

Similarly, with regard to the other outstanding issues, our talented Commission staff was able to address those technical challenges, in a manner that accounts for the interests of all stakeholders, including members of the aviation industry. This Order finds solutions, to allow WCS licensees to provide fixed and flexible mobile broadband service. It adopts technical and operating rules, to enable LTE deployment, in 20 megahertz of WCS spectrum. In addition, it makes another 10 megahertz of spectrum available for fixed broadband with possible future downlink use of spectrum to serve mobile broadband devices. The Order also provides greater certainty to satellite radio providers by requiring WCS licensees to coordinate and resolve any interference issues.

I applaud the efforts of the staff of the International Bureau, Office of Engineering and Technology, and the Wireless Telecommunications Bureau, for approaching these tough issues, with an open mind, and working through each one, to arrive at a conclusion that best serves the American public. I appreciate Ron Repasi and Patrick Forster taking time to brief me on these issues. I also want to give special thanks to the Bureau Chiefs Julius Knapp, Mindel De La Torre, and Ruth Milkman, for their leadership and cooperation with industry, to solve these very complicated issues.