

**STATEMENT OF
ACTING FCC CHAIRWOMAN MIGNON L. CLYBURN**

Re: Promoting Interoperability in the 700MHz Commercial Spectrum, WT Docket No. 12-69; Requests for Waiver and Extension of Lower 700 MHz Band Interim Construction Benchmark Deadlines, WT Docket No. 12-332.

In rural America, where nearly 50 million consumers live, work and play, just over one-third receive coverage from two or fewer mobile broadband providers. For years, small wireless carriers in these communities have stated that the lack of interoperability in the Lower 700 MHz band has stifled growth and limited options for their customers. Today's Order removes barriers that have kept these carriers from operating in this band, and acts to spur private investment, job creation and the development of new services and devices. It does so by implementing a voluntary industry solution to restore a framework that will substantially benefit the public interest and promote greater competition for advanced wireless services.

This expected innovation and investment in advanced communications has been on hold for far too long. In 2006, the Commission first initiated a proceeding to adopt service rules and auction this band. That proceeding was widely followed, not just by wireless companies, but application developers and other technology innovators due to the excellent propagation characteristics of the band. Those who participated in the 2008 auction for this spectrum fully expected that the band would be interoperable across all allocated blocks just as with other wireless mobile services, including cellular, PCS, AWS, and public safety broadband. After this spectrum was auctioned, however, a standard setting process created two non-interoperable separate band classes that ended up stifling deployment of service into rural areas.

That is why, when the Commission first initiated this rulemaking proceeding in March 2012, I stated a preference for an expeditious path towards a voluntary solution to restore interoperability in the lower 700 MHz band. I had hoped that NPRM would create the proper incentives for wireless companies on opposite sides of this debate to reach a solution before the end of 2012. Unfortunately, that did not happen.

In fact, when I became Acting Chairwoman in May 2013, these parties still seemed as far apart as they did a year earlier. Nonetheless, I remained steadfast in my belief that the quickest way for consumers to see the benefits of an interoperability solution for this band was not a regulatory mandate that would likely be challenged in court; but a collaborative industry wide solution with a timetable for implementation. That is why I issued statements indicating that I expected an interoperability solution – whether voluntary or regulatory -- during my tenure. I was pleased that the parties accepted my invitation to meet and engage in good-faith. I am particularly grateful to AT&T, The Interoperability Alliance, The Competitive Carriers Association, DISH, and the consumer advocacy groups who worked collaboratively with FCC staff to hammer out a solution that benefits all consumers.

Under the agreement, AT&T will modify its 700 MHz LTE network with new software that will enable it to support Band 12-capable devices and also work with manufacturers to develop devices that support Band Class 12. In plain English, it will be possible for customers of small and regional providers to roam on AT&T's LTE network, and devices like the iPhone that used to work exclusively for AT&T, will work on other networks in the Lower 700 MHz band.

The adoption of this Order is an important step in ensuring a proper transition to interoperability. It addresses interference concerns by modifying the technical rules of the D and E blocks, so as to remove the likelihood of harm caused by attendant power levels, and finds that harmful interference from Channel 51 broadcast operations is unlikely. The Order also carefully notes the responsibilities of all involved to finally bring interoperability to the Lower 700 MHz band to ensure full coverage in all markets and compatibility on a nationwide basis.

This is a big win for consumers, especially in rural areas, who will soon see more competition and have more choices.

My sincere thanks to Ruth Milkman, Jim Schlichting, and the rest of her staff in the Wireless Bureau as well as Michele Ellison and Louis Peraertz in the Chair's office for working so diligently throughout this proceeding and for quickly drafting this Order.