

**DISSENTING STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Expanding Access to Mobile Wireless Services Onboard Aircraft*, Notice of Proposed Rulemaking, WT Docket No. 13-301.

I associate myself with the statement of my friend from Kansas, Commissioner Pai, in dissenting on this notice and incorporate his substantive comments by reference. I strongly believe in eliminating unnecessary regulations and the Commission's ongoing duty to review its rules to determine whether they remain necessary, especially in light of technological or marketplace changes. However, what was originally framed as a deregulatory action – seeking comment on eliminating an outdated rule – was, in fact, accompanied by a proposal for a problematic licensing framework that I am unable to support at this time. The notice also raises important public safety and national security issues that should have been addressed more fully. Nevertheless, I thank the staff for their hard work on this item.