

**STATEMENT OF
COMMISSIONER AJIT PAI
APPROVING IN PART AND CONCURRING IN PART**

Re: *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268; *Office of Engineering Technology Releases and Seeks Comment on OET-69 Software*, ET Docket No. 13-26; *Office of Engineering and Technology Seeks to Supplement the Incentive Auction Proceeding Record Regarding Potential Interference Between Broadcast Television and Wireless Services*, ET Docket No. 14-14.

Much of this item is an attempt to make the best of a bad situation. In its post-auction 600 MHz band plan, the Commission chose to place too many broadcast television stations in the wireless portion of the band. That decision, in turn, was an attempt to mask other mistakes that the Commission had made designing the incentive auction and thus to salvage the Commission's chances of holding a successful incentive auction. But the Commission's gambit came at a cost. In order to obtain short-term gain, the Commission was willing to inflict long-term pain in the form of post-auction inter-service interference in the 600 MHz band.

Here, the Commission finalizes rules and procedures designed to minimize such interference between broadcast television and wireless services. And for the most part, I agree with the determinations set forth in this item. I do, however, question a couple of them.

First, I believe that commenters made a strong case for using the F(50,10) statistical measure for predicting inter-service interference caused by DTV signals to wireless operations rather than the less conservative F(50,50) measure adopted by the Commission. The F(50,10) standard was endorsed by trade associations representing both wireless carriers (CTIA and CCA) and broadcasters (NAB), the stakeholders who will be impacted by this interference. Moreover, the Commission has agreed to use the F(50,10) measure when predicting interference from U.S. DTV signals to Canadian wireless operations. And I have not seen any evidence that Canadians are less tolerant of dropped calls and interrupted downloads than are Americans.

I do appreciate, however, that the Commission will be providing sufficient information to allow wireless carriers to conduct interference analyses using the F(50,10) standard prior to the auction. Carriers should then be able to use this information in formulating their bidding strategies. I hope that it will be easy for carriers to conduct these analyses and that the Commission will provide any necessary assistance, particularly with respect to small carriers.

Second, I wish that this item did more to minimize the population loss that any television station will experience when it is given a new channel assignment during the repacking process. While much attention focused early in this proceeding on population loss caused by interference between television stations, the change in a station's coverage area due to a channel change was more of a sleeper issue. On that issue, the Commission does provide some relief here. Specifically, this item allows stations that are predicted to experience a loss in population served in excess of one percent as a result of the repacking process to file an application proposing an alternate channel or expanded facilities in a priority filing window after the auction. While this step will not completely solve the problem, it is a step in the right direction.