

**STATEMENT OF
COMMISSIONERS MICHAEL O'RIELLY AND JESSICA ROSENWORCEL**

Re: The Commission Seeks to Update and Refresh the Record in the "Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band" Proceeding, ET Docket No. 13-49, Public Notice.

For more than three years, there has been discussion and debate about unlicensed use in what is known as the 5.9 GHz band. We believe this slice of spectrum provides the best near-term opportunity for promoting innovation and expanding current offerings, such as Wi-Fi. That's because combining the airwaves in this band with those already available for unlicensed use nearby could mean increased capacity, reduced congestion, and higher speeds.

This is an effort worth pursuing—and today's action is the appropriate and necessary next step. This Public Notice puts in place a framework to demonstrate that unlicensed use in the 5.9 GHz band is possible without causing harmful interference to incumbent licensees, and in particular to Dedicated Short Range Communications (DSRC) systems. It establishes procedures for the submission of prototypes for testing and a test plan that will be led by the Commission, in consultation with the Department of Transportation and National Telecommunications and Information Administration. Specifically, we refresh our record in part to obtain further information about the two 5.9 GHz spectrum sharing technologies offered to date—by Qualcomm and Cisco. We look forward to the record that develops.

To speed this process along, today's Public Notice also adopts a July 30, 2016 deadline for the submission of testing equipment and commits to complete testing by January 15, 2017. Both deadlines are important. They provide much-needed certainty for the unlicensed community and car manufacturers.

It has been nearly 17 years since the Commission allocated 5.9 GHz spectrum for DSRC, which long ago promised technologies that would prevent automobile collisions and help make our roads safer. These are laudable and noble goals. We appreciate that work on DSRC is still underway and are hopeful that this technology comes to fruition, but, in the intervening years since this spectrum was set aside for this purpose, there have been enormous changes in technology. Connected cars are using a range of wireless technologies to provide safety functions, and autonomous vehicles are on their way. Meanwhile, technological advances have reduced the potential for interference and enabled spectrum sharing, allowing us to explore unlicensed opportunities in this band without causing harmful interference to DSRC safety-of-life functions. This pursuit is the best means to ensure the most effective and efficient use of the 5.9 GHz band.

We thank the Chairman for incorporating our edits in this Public Notice. In particular, we are pleased that it now requests more information about the current status of DSRC development, anticipated DSRC uses and spectrum needs, how to define safety-of-life applications, and the treatment of non-safety-of-life functions, among others. In addition, we are pleased that at long last we have a schedule for testing. Finally, thanks to the Office of Engineering and Technology for its efforts getting us to this point and for the work ahead.