

## STATEMENT OF COMMISSIONER AJIT PAI

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

Since 2012, I have been calling on the FCC to open up more of the 5 GHz band for unlicensed use.<sup>1</sup> That’s because this spectrum is tailor-made for the next generation of high-speed, wireless broadband. Making available more spectrum in the band will mean more robust and ubiquitous wireless coverage for consumers, more manageable networks for providers, more test beds for innovative application developers, and other benefits we can’t even of conceive today. So I was pleased when Chairman Genachowski agreed to launch this proceeding back in 2013.<sup>2</sup>

Unfortunately, the proceeding then lay dormant for two years.

That didn’t sit well with some. Thankfully, a large number of federal officials, including Senators John Thune, Bill Nelson, Cory A. Booker, Claire McCaskill, Gary C. Peters, and Marco Rubio,<sup>3</sup> Representatives Bob Latta<sup>4</sup> and Anna Eshoo,<sup>5</sup> and Commissioners Michael O’Rielly and Jessica Rosenworcel,<sup>6</sup> raised a bipartisan chorus for the FCC to get this proceeding moving again. And now we have a path forward.

I am pleased that the agency is putting all options on the table. As we enter what will hopefully be the final stretch of this proceeding, we need to do so with open minds. The FCC allocated this spectrum for Dedicated Short Range Communications (DSRC) operations at the end of the last century. DSRC is intended to enable wireless communications to promote safety for both vehicle-to-vehicle and vehicle-to-infrastructure purposes. But at the time of the allocation, we did not have the commercial applications or new radar technologies that can play a key role in improving highway safety and thus saving lives.

My hope is that we make a smart decision quickly—both in this spectrum band and in the lower, 120 MHz of the 5 GHz band—to allow this spectrum to directly benefit consumers. I look forward to working with my colleagues on doing just that.

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<sup>1</sup> See, e.g., Remarks of Commissioner Ajit Pai at CTIA’s MobileCon (Oct. 10, 2012), <http://go.usa.gov/4tkA>; see also Statement of Ajit Pai, Commissioner, Federal Communications Commission, Hearing before the Subcommittee on Communications and Technology of the U.S. House of Representatives Committee on Energy and Commerce (Dec. 12, 2012), <http://go.usa.gov/4t8Q>.

<sup>2</sup> *Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*, ET Docket No. 13-49, Notice of Proposed Rulemaking, 28 FCC Rcd 1769 (2013).

<sup>3</sup> Letter from Senators John Thune, Cory A. Booker, and Marco Rubio to Anthony Foxx, Secretary, U.S. Department of Transportation, Penny Pritzker, Secretary, U.S. Department of Commerce, and Tom Wheeler, Chairman, FCC (Sept. 9, 2015); Letter from Senators Bill Nelson, Claire McCaskill, and Gary C. Peters to Anthony Foxx, Secretary, U.S. Department of Transportation, Penny Pritzker, Secretary, U.S. Department of Commerce, and Tom Wheeler, Chairman, FCC (Sept. 10, 2015).

<sup>4</sup> Press Release, *Latta on 5.9 GHz Band Testing For Greater Unlicensed Use* (Jan. 14, 2016), <http://go.usa.gov/cSD63>.

<sup>5</sup> Representative Anna Eshoo and Commissioner Ajit Pai, *The Feds Have to Act to Get America Faster Wi-Fi*, Wired (Feb. 7, 2016), <http://www.wired.com/2016/02/the-feds-have-to-act-to-get-america-faster-wi-fi/>.

<sup>6</sup> See, e.g., Commissioners Michael O’Rielly and Jessica Rosenworcel, *Driving Wi-Fi Ahead: the Upper 5 GHz Band* (Feb. 23, 2015), <https://www.fcc.gov/news-events/blog/2015/02/23/driving-wi-fi-ahead-upper-5-ghz-band>.