

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, GN Docket No. 17-183

The next generation of wireless networks is right on the horizon, and the Commission has acted to facilitate its development and deployment. From 600 MHz and millimeter wave to infrastructure, the Commission has taken, or is in the process of considering, the necessary steps to open new spectrum bands and reduce the regulatory hurdles that are delaying or preventing small cell siting. However, the Commission had not officially considered potential mid-band spectrum opportunities. Today, we rectify this need.

While our action in no way minimizes the importance of freeing up millimeter wave frequencies, it quickly became apparent at this year's Mobile World Congress that many countries were focusing on mid-band spectrum for next-generation networks. For instance, Europe has identified 3.4 to 3.8 GHz as its primary band for early 5G development. Japan, Korea and China are also proponents of using frequencies in this range, with Japan possibly looking to extend 5G up to 4.2 GHz.

Generally, interested parties should take this opportunity to discuss any and all bands of interest between 3.7 and 24 GHz – which we are calling mid band – that can be used for wireless broadband. But, this notice specifically focuses on the domestic use of the 3.7 to 4.2 GHz band, which the U.S. wireless industry has identified for 5G given its underutilization by incumbent licensees.

It is hard not to see that the mid bands targeted for 5G include frequencies that are also part of our 3.5 GHz band. As you know, we are in the process of revisiting the 3.5 GHz priority access licenses (PALs) to ensure they provide the appropriate vehicle for innovation and investment. Ultimately, the potential of combining PALs with the nearby 3.7 to 4.2 GHz band for mobile services may permit limitless opportunities for manufacturers and wireless providers, to the benefit of American consumers. And, the action we take today will facilitate the international harmonization of these bands and help the U.S. maintain its global leadership in wireless technologies.

Moreover, the notice also seeks comment on additional uses for the 6 GHz band, which is adjacent to the unlicensed 5 GHz band. It could provide, for example, a great opportunity to relieve the already congested 2.4 and 5 GHz unlicensed bands. The potential is even greater if the 5.9 GHz band is made available for unlicensed use.

For these reasons, I am pleased to support today's item. I look forward to engaging on this topic, reading of the myriad possibilities for mid-band spectrum, and the various ideas of how incumbents can be accommodated, either through relocation or appropriate protection mechanisms. I do ask that we expedite this proceeding. The consideration of the 3.7 to 4.2 and 6 GHz bands was likely ripe for a notice of proposed rulemaking rather than the notice of inquiry route, so I hope at a minimum we will push these bands forward as quickly as possible.