

**STATEMENT OF  
COMMISSIONER MICHAEL O'RIELLY**

Re: *Amendment of Parts 2 and 25 of the Commission's Rules to facilitate the Use of Earth Stations in Motion Communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service, IB Docket No. 17-95.*

I generally support today's Notice streamlining the Commission's current earth stations in motion (ESIMs) rules. It also seeks comment on expanding the bandwidth available for ESIMs to the Ka-band. While we consistently seek ways to maximize the use of our spectrum resources, time and again we face the question of how to successfully accommodate new and incumbent services in the same or adjacent bands. Here, we need to understand whether moving satellite earth stations, in certain Ka-band frequencies, could potentially cause harmful interference to current incumbent satellite offerings or future 28 GHz terrestrial deployments. I thank the Chairman for incorporating edits to elicit comment on these points.

And speaking of 28 GHz, I am yet again reminded of the unfortunate outcome of the World Radiocommunication Conference (WRC) in 2015, where we were not able to garner support for the global harmonization of this band for mobile services. Instead, the U.S. and some other forward-looking countries will develop this band without input from the rest of the world. As we proceed towards WRC-19, I will keep an eye on the agenda item to study the potential use of ESIMs in frequencies ranging from 27.5 to 29.5 GHz, which happens to overlap the 28 GHz band (27.5 to 28.35 GHz) and some of the ESIMs spectrum we propose today. We must ensure that U.S. positions do not potentially dissuade investment and deployment in the 28 GHz band either domestically or internationally. Our continued commitment to the future success of the 28 GHz band must be clear to all.