

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: Spectrum Horizons, ET Docket No. 18-21

I am generally supportive of today's item that will start a dialogue about whether and how best to allocate spectrum bands above 95 GHz. The Commission is continually in the process of evaluating multiple spectrum bands to ensure that they are available and attractive for next generation services. Whether it is mid-band spectrum or millimeter wave bands, we must continue to push the boundaries of physics and work to ensure that every megahertz is used as efficiently as possible.

This proceeding can be distinguished from some of our other efforts. In 95 GHz, the technologies are somewhat nascent – to put it gently – which the item acknowledges by stating these bands present “a largely blank slate upon which bold new technologies can be written.” In some regards, this feels to me like designing zoning laws for the moon. At the same time, it can be a worthy process. Certainly, the Commission is making judgments about whether a particular portion of this extremely high band spectrum will be used for fixed services, how sharing would work, whether specific bands would be licensed or unlicensed, and what rules should be put in place.

I would trust that the Commission will give some thought as to whether we know enough about potential future uses to make such decisions at this point. We don't exactly have the best track record of allocating spectrum and hoping that some technology – that is not even conceptualized – takes off. I can think of 5.9 GHz and DSRC, the earlier iterations of 28 and 39 GHz, and the original WCS band as a few past examples of the Commission not getting it right.

Regardless, I think examining spectrum above 95 GHz is worthy of discussion, and I thank the Chairman for adding questions about potential use cases and whether there is sufficient information available to make some of the decisions teed up in this proceeding. Going forward, I will want to make sure that we do not create a familiar scenario where we have limited use of a band, but create a class of incumbents, who then have to be moved or protected in the future when this spectrum becomes of greater interest for 6G, 7G, or whatever the next-next-generation wonder technology may be. I look forward to following this proceeding closely and engaging with stakeholders about the potential and timeline for developing these bands.