

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122; *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, GN Docket No. 17-183; *Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission's Rules to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3.7-4.2 GHz Band*, RM-11791; *Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service*, RM-11778

The United States is not in the lead when it comes to making mid-band spectrum available for next-generation 5G networks. If you want evidence, it's right there, out in the open for all to see. You can start with South Korea, which just wrapped up an auction for the 3.5 GHz and 28 GHz bands last month, generating more than \$3 billion by moving the two bands together. You can also look at the United Kingdom, which auctioned the 2.3 GHz and 3.4 GHz bands earlier this year. In Spain, the process of auctioning 200 megahertz of spectrum in the 3.6-3.8 GHz bands is already underway. This morning Italy announced that on September 10 it will kick off an auction of 200 megahertz in the 3.6-3.8 GHz band. On top of that, China has already cleared and reserved the 3.3-3.6 GHz and 4.8-5.0 GHz bands for 5G service.

We're behind. That's the not-so-good news. Because the price we pay when we cede leadership is a loss in early scale and a voice in standards development and device specifications that can yield innovation and jobs we want to see here, on our shores.

Now the good news. With today's rulemaking and order we are doing something about it. We explore a variety of mechanisms for clearing the 3.7-4.2 GHz band for 5G use. And if we make headway here, we can start to reclaim lost leadership in spectrum that is critical for success in 5G networks.

To this end, we seek comment on a wide range of proposals for opening up the the 3.7-4.2 GHz band. We ask about everything from overlay licenses to incentive auctions to capacity auctions in order to expand the possibility of flexible use in this spectrum.

We also seek comment on a proposal from satellite operators that hold equal, non-exclusive rights to the entire band. Together, they have put forward a market-based mechanism to repurpose these airwaves in an expedited fashion. This proposal is creative. But it also raises challenging questions that this agency must tackle to fulfill our statutory obligations. First, the combination of a limited number of operators, non-exclusive licensing, and the scarcity of mid-band spectrum could create opportunities to price this resource above what a truly competitive market with a large pool of fungible spectrum would support. Second, that means we need to acknowledge that what incumbent providers stand to reap from a secondary market sale of repurposed spectrum is significant. We need a framework to ensure that this approach truly serves the public interest. Third, we need to acknowledge that these frequencies are used right now by television and radio broadcasters and cable operators to deliver programming to more than 100 million American households. I believe we need a record that addresses all three of these challenges in addition to the other proposals that aim to expand flexible use in this band.

Finally, I believe any effort to reclaim leadership in mid-band spectrum for 5G needs to include other airwaves, like the 3.5 GHz band, which for several years has been ready to go but is still inexplicably mired in this agency's bureaucracy. In addition, we need a spectrum calendar. We have no reason for not being transparent about how and when new resources will be made available to the public. With a blitz of proceedings before us involving the 2.5 GHz, 3.5 GHz, 3.7-4.2 GHz, 4.9 GHz, 5.9 GHz, 6

GHz, 12 GHz, 24 GHz, 26 GHz, 28 GHz, 32 GHz, 37 GHz, 39 GHz, 42 GHz, 47 GHz, 50 GHz, and above 95 GHz, it is time to put every band on a schedule that is publicly available. There is no reason for this agency to be so opaque about what is being auctioned and when. Moreover, when we do hold auctions we should put a premium on auctioning 5G bands together, instead of one-by-one, as proposed for the 28 GHz and 24 GHz auctions coming up this fall. If we do these things, we have a fighting chance to lead in the deployment of the next generation of wireless networks—for which mid-band spectrum is key both at home and abroad.

But most importantly, we need to get started. Right here, right now. As a result, today's rulemaking and order has my support.