

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
APPROVING IN PART, DISSENTING IN PART**

Re: *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order and Order of Modification,  
GN Docket No. 18-122

In this decision, the Federal Communications Commission denies, largely on procedural grounds, an administrative protest regarding its earlier decision that required small satellite operators to cease operations in the lower 300 megahertz of the 3.7-4.2 GHz band and migrate their operations to the upper 200 megahertz of the same band. In doing so, the agency clears the way for a court to consider the merits of the FCC's decision-making in the underlying proceeding. I support today's order because I believe we should speed the way for this resolution. However, I continue to have reservations about the process that led the agency to this point and believe that we missed a golden opportunity to work with Congress to incentivize the repurposing of these airwaves in a manner that would yield a smoother long-term path for spectrum policy and support for much-needed infrastructure projects. Accordingly, I approve in part and dissent in part.