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.