

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Facilitating Shared Use in the 3100-3550 MHz Band*, WT Docket No. 19-348

Walking into the Commission almost seven years ago, I was intent, some might say hell bent, on securing sufficient spectrum for next-generation commercial wireless services. I knew this wasn't going to be an easy project, but a challenging one that needed to be tackled head on. Spectrum battles were common on the Hill, so I knew what I was getting into. But I recognized then, as I do now: the future of American wireless innovation and connectivity depends upon delivering more and more commercial spectrum to market, no matter the herculean effort required. It is a simple but essential point and has been foundational to my mission to produce the requisite spectrum resources for both licensed and unlicensed offerings.

While I was heavily involved in allocating millimeter wave spectrum for 5G, which was the focus during the Wheeler Commission, I also spent my time and energy on laying the groundwork for mid-band spectrum, having determined years ago that it was going to be the centerpiece of these future networks. I'm proud that my efforts led to the recent introduction of unlicensed opportunities in the 6 GHz band and to a 5.9 GHz order, which is hopefully on the horizon. But, it's time to produce more spectrum for exclusive use to complement my work on the 3.5 GHz priority access licenses and the C-band spectrum to be auctioned later this year. Simply put, the time has come to turn to another of my priorities, repurposing 3.1 to 3.55 GHz from federal government to private sector use.

Thankfully, we take appropriate steps today to affirmatively increase spectrum utilization in the 3.1 to 3.55 GHz band by freeing the upper 100 megahertz for commercial high-power, mobile and fixed wireless systems. While clearing the band of and relocating some current non-federal users, such as radiolocation and amateur services, is important and worthwhile, the more consequential effort is to implement the agreement reached between the White House and the Department of Defense (DOD) on this key spectrum band. It has been clear for some time that, although these frequencies are crucial for 5G and other innovative wireless offerings, it was going to be very difficult to get DOD to finally surrender this slice of spectrum. It's the sole reason why I wrote a letter to a President Trump in April, imploring him to provide assistance in repurposing at least 100 megahertz for commercial use. Some laughed and others even ridiculed my letter, but I have to say, I'm fairly pleased with the result. I appreciate the momentous efforts of the Trump administration, especially Larry Kudlow and his team, for their perseverance in reaching acceptable terms with DOD and supporting a private sector-led 5G commercial effort.

I have been assured that the deal struck between the White House and DOD will substantially clear this 100 megahertz for private sector wireless licenses, but that it may take some time to relocate some of the military operations currently in the band. While DOD has not released its transition plan yet, meaning some details are set to be disclosed later, there is enough information in the record to initiate this rulemaking process. Expediting the release of this first 100 megahertz is a great start toward meeting the 300 to 500 megahertz of mid-band spectrum experts estimate will be required in the very near future.

On that note, I am frequently asked whether this spectrum, along with additional bands, is truly needed when 3.5 GHz and the 280 megahertz of C-Band spectrum starting at 3.7 GHz are available. The answer is a resounding "YES!" Wireless providers are ideally seeking 100 megahertz blocks, and the demand doesn't stop there: don't forget, cable providers are actively seeking wireless opportunities, industrial uses and other private networks are being deployed, and the Internet of Things will require extensive network connectivity, and that's just a handful of plausible uses and services. Not to mention,

we need to ensure there are spectrum resources for future technology generations. Make no mistake, the spectrum pipeline *cannot* be left empty.

For these reasons, we need to seriously consider the remainder of this band, starting with the next 100 megahertz, or 3.35 to 3.45 GHz. I appreciate that my suggestion to direct Commission staff to work with federal agencies on making this spectrum available for exclusive use licenses was incorporated into the order and that we seek comment in the NPRM on how to get this done. These frequencies must be cleared, and the remainder of the band should be studied for potential sharing opportunities. These spectrum resources and others will be needed to maintain our global leadership in wireless innovation and broadband technologies in the near and long term.

I hope that the Commission will continue to exert significant pressure toward these ends, and even take whatever proverbial incoming arrows are required to enable as much commercial use as possible in this band and others. I approve.