

**DISSENTING STATEMENT OF
COMMISSIONER BRENDAN CARR**

Re: *Amendment of Part 90 of the Commission's Rules, Order, WP Docket No. 07-100.*

Over the last four years, the FCC took bold steps to open up the airwaves needed for 5G and a range of next-gen operations. Our efforts freed up more than six gigahertz of spectrum for licensed 5G services in addition to thousands of megahertz of unlicensed spectrum.

In the 4.9 GHz band, it was clear that the status quo was not working. After almost two decades, that 50 MHz swath of spectrum remained woefully underutilized. So we established a framework that could allow more intensive uses to flourish, including for public safety, by empowering local leaders to determine the best options for this spectrum based on their own circumstances. While I would have preferred even greater flexibility, last year's order was a step in the right direction. Indeed, Louisiana is now actively pursuing this option through a bill that is moving through its state legislature.

So I am disappointed that the Commission's decision to stay our 4.9 GHz band order will return this spectrum to the broken framework of the past. This is the spectrum equivalent of taking points off the board. While I am dissenting from today's decision, I remain hopeful that we can find a way to quickly put a beneficial framework back in place. And I am open to working with my colleagues, the public safety community, and all other stakeholders on doing exactly that.