

**SEPARATE STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Facilitating Opportunities for Flexible, Efficient, and Reliable Spectrum Use Employing Cognitive Radio Technologies (ET Docket No. 03-108); Authorization and Use of Software Defined Radios (ET Docket No. 00-47), Notice of Proposed Rule Making and Order (Adopted December 17, 2003)

Cognitive radios have the potential to be a powerful tool for increasing spectral efficiency while keeping interference at acceptably low levels. So, I hope that this NPRM keeps us moving in the direction of allowing consumers and companies to take advantage of these new technologies. I am also eager to explore the idea of allowing higher power levels for unlicensed technologies in rural areas. The wireless networking community has been asking for this for a long time now. If higher powers allow them to bring more service to under-served areas, and more competition to areas largely bereft of competition, we are already late to the game. So I'm glad we're moving forward.

Finally, I want to note that while this NPRM examines technologies that would allow public safety entities such as police departments and fire companies to lease spectrum to non-public-safety users, I will need to be convinced that this is a good idea before voting to allow it. While I want to increase the efficiency of spectrum use in crowded bands, I will need to see proof that allowing commercial operation in the same bands relied on by policemen and firemen is safe. And I will need to be convinced that the lure of big dollar figures from commercial companies will not lead to states and municipalities living in difficult budget environments to lease out not only extra spectrum, but also core spectrum.