

**SEPARATE STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

Re: *Revisions to Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices; Notice of Proposed Rulemaking; ET Docket No. 03-122.*

Our action today furthers twin goals of the Spectrum Policy Task Force: promoting spectrum access and furthering development of unlicensed technologies. Once the backwater of baby monitors and cordless telephones, the unlicensed sector has developed into a hotbed of growth and innovation. Earlier this week, I was privileged to see first-hand the fruits of this entrepreneurial activity at the Wireless Innovations Technology Showcase sponsored by the Commerce and State Departments and the FCC. The innovators on display at the Showcase are eager to run in new spectrum pastures – today we open a large new field for these thoroughbreds of innovation.

The Notice proposes to make available an additional 255 MHz of spectrum for unlicensed use – nearly *doubling* the amount of spectrum available for unlicensed operations in the 5 GHz band. Moreover, we propose to forego exclusive-use licensing, allowing market forces to determine how the band will be used, and providing potential users the greatest possible flexibility.

The Commission's action would not be possible without the assiduous efforts of our colleagues at NTIA and the Department of Defense. Assistant Secretary Victory and Deputy Assistant Secretary Price demonstrated exceptional leadership in negotiating a compromise that will allow unlicensed devices and military radars to share the 5 GHz band. In this regard, our Office of Engineering and Technology, our International Bureau and the commercial interests in this band also deserve particular credit for shaping the compromise that is before us today.

Our work is not yet complete, however. Our proposal does create the possibility of aligning the frequency bands used for U-NII devices domestically with those in other parts of the world, creating the potential for economies of scale for equipment manufacturers and a declining cost structure for consumers. But global harmonization is not yet a reality. That task falls to Ambassador Obuchowski and her fine WRC team, including Commissioners Capps and Abernathy. I am optimistic about the prospects for global harmonization and look forward to working with the delegation to move us closer to the dawn of a new era of unlicensed wireless innovation at 5.8 GHz.