

**SEPARATE STATEMENT OF
COMMISSIONER KATHLEEN Q. ABERNATHY**

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

I believe that this NPRM serves two very important goals. First, it begins the process of making available an additional 255 MHz of spectrum for the growth and development of unlicensed wireless broadband networks on a harmonized basis. Second, it is an example of the Commission's commitment to move swiftly when acting on items of national importance that are addressed at the World Radiocommunications Conference (WRC).

More specifically, I believe that this item promotes the deployment of broadband services via wi-fi technology. This will prove tremendously valuable in promoting the core statutory goals of broadband deployment and facilities-based competition. As I have previously stated, the true key to achieving Congress's objective of a deregulatory and procompetitive framework lies in moving beyond duopoly towards a world where *multiple* facilities-based providers compete in the broadband arena. Examining the provision of additional spectrum for RLANs holds great promise in bringing us closer towards fulfillment of that goal.

There is also significant benefit to internationally harmonizing unlicensed bands where practicable and where it is in the public interest. Unlicensed bands may be able to benefit from the scale and scope that international harmonization can provide. Therefore, in this NRPM the FCC is proposing to provide access to spectrum for RLANs in frequency bands that are consistent with use in other parts of the world. The ability of U.S. manufacturers to capture the synergies of developing equipment in these frequency bands on a global basis should result in lower costs to consumers and the availability of increasingly innovative equipment.

Finally, I would like to applaud the staff for moving so quickly on this item. By issuing this NPRM prior to the commencement of the 2003 WRC, the Commission will be in a position to move quickly on a final order following the conclusion of the Conference. I look forward to working on this issue while attending the WRC in Geneva.