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**For Immediate Release**

**COMMISSIONER CLYBURN STATEMENT  
ON AT&T/FIBERTOWER TRANSACTION**

WASHINGTON, February 8, 2018 – The following statement can be attributed to FCC Commissioner Mignon Clyburn:

“It has long been customary at the FCC for Bureaus planning to issue significant orders on delegated authority to provide those items to Commissioners 48 hours prior to their scheduled release. Then, if any one Commissioner asked for the Order to be brought up to the Commission level for a vote, that request would be honored.”<sup>1</sup> That is a direct quote from then-Commissioner Ajit Pai during testimony before the Senate Committee on Commerce, Science, and Transportation on March 18, 2015. Given his view of well-established customary practice, I am disappointed that Chairman Pai did not honor my request to have the full Commission vote on an Order that permitted the transfer of 39 GHz licenses from FiberTower to AT&T.

“By objecting to proceeding on delegated authority, I do not suggest that I would have voted against this transaction. Rather, the Bureau’s analysis is lacking in its current form. I believe that our statutory obligations, under the Communications Act, requires us to do more than simply consider whether AT&T’s 39 GHz holdings, post-transaction, exceed 1850 megahertz of millimeter wave spectrum. The Commission should also consider whether AT&T’s substantial holdings in other spectrum bands, including below 1-GHz, together with these 39 GHz licenses from FiberTower, could result in potential public interest harms.”

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<sup>1</sup> *Oversight of the FCC: Before the S. Comm. On Commerce, Sci., & Transp.*, 114<sup>th</sup> Cong. (2015) (March 18, 2015) (Statement of FCC Commissioner Ajit Pai).

*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*