

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL**

Re: *Spectrum Horizons, Battelle Memorial Institute Petition for Rulemaking to Adopt Fixed Service Rules in the 102-109.5 GHz Band, Request for Waiver of ZenFi Networks, Inc. and Geneva Communications LLC, James Edwin Whedbee Petition for Rulemaking to Allow Unlicensed Operation in the 95-1,000 GHz Band*; ET Docket No. 18-21, RM-11713 (Terminated), WT Docket No. 15-245 (Terminated), RM-11795, Notice of Proposed Rulemaking and Order (February 22, 2018)

Today we kick off an effort to make spectrum above 95 GHz more accessible. These way-up-there airwaves represent the new frontier. There is something undeniably cool about putting these stratospheric frequencies to use and converting their propagation challenges into opportunity. This rulemaking gets that effort underway, so it has my support.

Our questions here range far and wide. But I believe a few deserve more attention than they get in the text. To this end, I hope commenters offer their thoughts about how we could proceed if we were to reorganize these bands. I fear our unwillingness to do so will balkanize spectrum and cut short the possibilities of more contiguous blocks. I also hope those who file in this proceeding consider the power of having a much larger slice for unlicensed—and all the low-cost innovation it could bring. Moreover, I worry that some of the rules we propose fail to heed the lessons of the past. For instance, we suggest we should continue to reward first-in-time registration, whether or not there is actual construction. Should these airwaves prove valuable, this approach is teeming with potential for abuse.

I also think there is a big issue looming behind this proceeding. With this rulemaking we add more than 50 gigahertz of spectrum to the blitz of bands already being discussed in our regulatory proceedings. That list includes 470-512 MHz, 900 MHz, 3.5 GHz, 3.7-4.2 GHz, 6 GHz, 24 GHz, 28 GHz, 32 GHz, 37 GHz, 39 GHz, 42 GHz, 47 GHz, 50 GHz, 70 GHz, and 80 GHz, among others.

What we need now is not more rulemaking and studying. We need action. We need to announce our next spectrum auction. While we don't have one on the calendar, other nations are moving ahead at warp speed with the auction of 5G airwaves. South Korea, Germany, Australia, the United Kingdom, and Romania already have announced auction plans for this year. Why are we not on this list? How can we let so many other nations get so far ahead of us? It's good that we are looking to the future and considering the far frontier with this 95 GHz proceeding. But it's time we took the steps necessary to lead in 5G by making public when the United States will hold its next auction and making transparent our plans for every subsequent auction.