

**SEPARATE STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN**

*Re: Extending Wireless Telecommunications Services to Tribal Lands; WT Docket No. 99-266*

I was very pleased to work with the Wireless Telecommunications Bureau on the development of the Second Further Notice of Proposed Rulemaking in this proceeding last year because I was concerned about the apparent lack of interest in the Commission's tribal lands bidding credit program. Hailing from South Dakota, I have a particular interest in ensuring that the benefits of wireless telecommunications reach all Americans, particularly those who live on tribal lands.

It obviously is difficult to pinpoint with any certainty specific aspects of the tribal lands bidding credit program that need to be adjusted to ensure the success of the program. I believe that by our decision today, however, we are adopting modifications that make great strides to ensuring that the credit is utilized to its fullest possible extent in the near future. For example, the decision to raise the wireline telephone penetration benchmark from 70 to 85 percent for qualifying tribal lands will triple the number of tribal lands deemed eligible for bidding credits. Similarly, we adopt a two-thirds increase to the bidding credit limit to further incentivize investment in these underserved areas.

I applaud the work of the Bureau in developing these adjustments to the tribal lands bidding credit program. These changes are particularly appropriate as we plan to hold a number of significant auctions over the next few years. As an agency, we must be ever vigilant to support the deployment of wireless services in tribal areas, particularly those that are underserved by traditional wireline services.

Finally, I wanted to note that in the past, I heard anecdotal concerns regarding the challenges of meeting the 75 percent population coverage construction requirement of the tribal lands bidding credit within three years of grant of a license. However, the record before us is clear that the construction requirement should be maintained, and is not likely the cause of the under-utilization of the bidding credit program. While we decline to modify the construction requirement, I am pleased that we reiterate the Commission position that parties can file for waiver requests should their particular circumstances require additional construction time.