

**STATEMENT OF STEVE LARGENT
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**BEFORE THE SUBCOMMITTEE ON TELECOMMUNICATIONS AND THE
INTERNET**

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Good morning, Chairman Markey and Members of the Subcommittee. It is a privilege to be here this morning. Thank you for affording me this opportunity to share with you the views of CTIA on the staff discussion draft Wireless Consumer Protection and Community Broadband Empowerment Act of 2008.

I want to make two overall points in my testimony today.

First, the wireless industry is one of the greatest consumer and economic success stories of the 21st Century. The industry began in the early-1980s when the Federal Communications Commission (FCC) authorized two companies per market to compete with each other to provide analog voice service. States exercised significant regulatory oversight of the industry, imposing obligations on everything from billing format to rate levels. Coverage was spotty, voice quality was poor, and prices were high.

Today, 25 years later, CTIA member companies serve more than 250 million consumers, carry more than 1 trillion minutes of use on their networks every year, and give Americans of every race, age and income level access to more than 600 different kinds of wireless devices including digital cameras and camcorders, Internet access devices, computer modems, video and television receivers, tape recorders, and calculators. American wireless consumers can use these devices to make voice calls,

receive live television broadcasts of critical news developments, send and receive e-mails and attachments, check local traffic reports, locate the cheapest gas station, send text and picture messages, download music and videos, ring-tones, ring-back tones, and hundreds of additional applications developed by thousands of entrepreneurs that are unaffiliated with any wireless carrier. The biggest success for American consumers however, is the fact that they have unparalleled choice at the same time they are enjoying some of the lowest prices in the world for the services they want.

The cost per voice minute, which was about one dollar twenty years ago, has dropped to *4 cents* today. According to the Bureau of Labor Statistics, prices for commercial wireless services have fallen more than 35% since December 1997.¹ During the same period, the average minutes of use (“MOU”) per subscriber increased six-fold, from an average of 120 MOU per month to an average of 746 MOU per month.^{2/} Statistics and realities like the ones I just highlighted put the United States at the forefront of the global, mobile wireless revolution. A revolution you say? According to a story in this Sunday’s Washington Post, “we’ve passed a watershed of more than 3.3 billion active cellphones on a planet of 6.6 billion humans

¹ *Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services*, Twelfth Report, FCC 08-28, WT Docket No. 07-71, ¶ 198 (rel. Feb. 4, 2008) (“*Twelfth Annual CMRS Report*”).

² *See CTIA Wireless Industry Indices, Semi-Annual Data Survey Results: A Comprehensive Report from CTIA Analyzing the U.S. Wireless Industry, Midyear 2007 Results* (rel. November 2007) at Section 3.5, pp.197-198 (“*CTIA Wireless Industry Indices report*”).

in about 26 years. This is the fastest global diffusion of any technology in human history - faster even than the polio vaccine."³

How did the U.S. success story occur? In 1993, Congress established, "a Federal regulatory framework to govern the offering of all commercial mobile services."⁴ Congress deemed a national framework necessary to "foster the growth and development of mobile services that, by their nature, operate without regard to state lines as an integral part of the national telecommunications infrastructure."⁵ This national regulatory environment attracted the investment needed to build the infrastructure and purchase the spectrum that has produced the consumer benefits outlined above.

Since 1993, wireless companies have invested more than \$220 billion dollars to first deploy and then upgrade local, regional and national wireless networks, and billions more to obtain the spectrum needed to continually increase network capacity and enable the carriers to provide consumers with the most reliable, comprehensive wireless coverage in the world. In the process, the wireless industry has directly created hundreds of thousands of jobs and contributes billions of dollars annually to the U.S. Gross Domestic Product.⁶

³ Joel Garreau, "Our Cells, Ourselves," *The Washington Post*, February 24, 2008, at p.M1 ("Garreau").

⁴ H.R. CONF. REP. No. 103-213, 103d Cong., 1st Sess. at 490 (1993).

⁵ H.R. REP. No. 103-111, 103d Cong., 1st Sess. at 260 (1993).

⁶ Roger Entner and David Lewin, *The Impact of the U.S. Wireless Telecom Industry on the U.S. Economy*, Ovum-Indepen, September 2005.

The second point I want to make is that Congress should now finish the job begun in 1993 by extending the national wireless framework to include consumer protection standards, not just rate and entry regulation. The state of America's wireless industry today is exactly what this Subcommittee and Congress hoped for when you wisely decided in 1993 to treat our industry differently from traditional landline telephony. No one can argue that this far-sighted approach has worked far better than anyone envisioned at the time. The enormous economic growth we've spurred and the incredible yet affordable technology we have delivered to consumers is just the beginning of what the wireless industry can do for consumers, and should be celebrated.

Unless Congress acts, however, providers of wireless services will find themselves hamstrung by a costly, anti-consumer patchwork of state-by-state utility-style regulation. Since 1993, and most recently in the last 10 years, some states have been trying to use the "other terms and conditions" clause as a way to get around Congress' restriction on the regulation of rates and entry, disguising their efforts as so-called "consumer protection" legislation and regulation.

We are not fooled by these thinly veiled efforts and we do not think you will be either. It is unrealistic to think that wireless consumers will receive more and better value from aggressive new state-specific regulatory schemes that have more in common with the utility-style, monopoly regulation of a hundred years ago than with the dynamic, competitive wireless marketplace of the 21st Century. Diverting manpower and economic resources away from what we should be focusing on – the roll-out of ubiquitous wireless broadband and providing consumers with more of the

creative applications, devices and services they indicate they want, at prices they can afford – seems a fool’s errand.

We believe there is an urgent need for you to close the "other terms and conditions" loophole once and for all, and create a clear, national regulatory framework for all wireless consumers in all states. As presently drafted, the Staff Draft falls short of this objective because its preemption and enforcement provisions are insufficiently clear and thus are likely to lead to protracted debates over their scope and interpretation. This would undermine the notion of a uniform, national framework and risk that states would be encouraged to add their own layer of regulation on top of the federal regime. This will disserve the very purpose you are trying to achieve – enhancing a uniform, national set of consistent consumer protections for all wireless consumers. Additionally, the well-intentioned elements in the Staff Draft addressing consumer protection issues are so prescriptive we believe they will result in the very anti-consumer problems some of the state specific proposals have been creating. With modifications, we believe a balance can be struck that promotes the clarity and consistency that consumers seek, while providing carriers with the certainty they need to continue investing and competing for consumers’ attention and loyalty.

I. VALUE, CHOICE and INNOVATION: THE U.S. WIRELESS CONSUMER IS IN CONTROL

In 1993, Congress had the forethought to establish a national framework for the wireless industry which led to the explosive growth in innovation, competition, investment and consumer benefits I just summarized for you. The Federal

Communications Commission (FCC) recently reported to you in its *Twelfth Annual CMRS Report* that “U.S. consumers continue to experience significant benefits – including low prices, new technologies, improved service quality and choice among providers – from competition in the CMRS marketplace.”⁷ I would like to elaborate on the three characteristics – value, choice and innovation - that distinguish my industry from others serving the American consumer.

Value. An analysis of usage and revenue trends over the past decade demonstrates that wireless consumers today pay less for more service than they ever have. As noted above, the BLS reports that prices for wireless services have fallen more than 35% since December 1997.⁸ This means American wireless customers can afford to use their devices and services to do more things and satisfy more needs. And they are unquestionably better off than their European counterparts. For example, between 2001 and 2005, average MOUs in the U.S. grew more rapidly than in any European country. Specifically, by the end of 2005, MOUs in the U.S. were almost three times larger than in the largest EU country. And the price per minute paid by consumers has fallen faster in the U.S. than in major European countries.⁹

Choice of Providers. Further, U.S. consumers have more choice among service providers, handsets and innovative pricing plans than any other wireless consumers in the world. More than half of the U.S. population is served by **FIVE**

⁷ *Twelfth Annual CMRS Report* at ¶ 1.

⁸ *Id.* at ¶ 198.

⁹ Marius Schwartz and Federico Mini, “*Hanging up on Carterfone: The Economic Case Against Access Regulation in Mobile Wireless*,” May 2, 2007, at 14.

OR MORE facilities-based wireless carriers, 90 percent is served by **FOUR OR MORE** and 95 percent is served by **THREE OR MORE**.¹⁰

In the U.S. wireless market, ten facilities-based wireless carriers serve more than 1 million customers. By contrast, just two companies serve more than 70 percent of the population in each of the top ten OECD countries outside the U.S., excluding Canada and the U.K. As the U.K.'s telecommunications regulator – Ofcom – notes in a 2006 report: the United States has a much less concentrated market when viewed through the Herfindahl-Hirschman Index, a commonly accepted measure of market concentration.¹¹

Choice of Handsets, Service Plans and Pricing Options. America's wireless consumers have a choice of more than 600 wireless devices today that they can purchase from service providers, independent retailers and manufacturers. By comparison, U.K. wireless subscribers only have access to approximately 180 different handsets.¹²

America's wireless consumers also have a dizzying array of service plans to choose from. In fact, my industry has been criticized for offering American consumers too many choices, hardly the hallmark of a non-competitive, anti-consumer industry. To the contrary, consumers drive my member companies to find more ways to compete against each other. For example, CTIA member companies

¹⁰ *Twelfth Annual CMRS Report* at ¶ 38.

¹¹ Ofcom, *The International Communications Market, 2006*, November 2006, available online at <http://www.ofcom.org.uk/research/cm/icmr06/icmr.pdf>, at p.68 (last accessed Jan. 4, 2008).

¹² Based on a review of the websites of the U.K. network operators, service

have introduced extended trial periods after hearing from their customers that that was important to them. Several wireless carriers have also decided to pro-rate their early termination fees when a customer cancels their contract early, again in response to learning from their customers that this was important to them.

In just the last three weeks, AT&T Mobility, T-Mobile, Verizon Wireless and U.S. Cellular have all rolled out flat-rate, “all you can eat” voice plans, continuing the trend of offering tailor-made, creative pricing plans that AT&T Wireless started back in the late 1990s when it first introduced the Digital One Rate plan. I would note that AT&T introduced the concept of “bucket pricing” following the FCC’s decision to grant CMRS carriers pricing flexibility, another example of the very real benefits consumers receive when companies are not constrained by heavy-handed, anti-consumer regulation.¹³ Now, wireless consumers have routine access to family plans, prepaid and pay-as-you go options, on-net and off-net calling circles, roll-over minutes, local-only and big-bucket plans – the list can go on of the variety of pricing and other consumer-friendly service plan options wireless carriers have devised as a way to compete for customers.

Innovation. The vibrant competition – some might call it “hand to hand combat” – that is unquestionably the hallmark of the wireless industry has fostered

providers, and retailers (e.g., Carphone Warehouse, Tesco, etc.).

¹³ *Implementation of Sections 3(n) and 332 of the Communications Act; Regulatory Treatment of Mobile Services*, Second Report and Order, 9 FCC Rcd 1411, 1510-11 (1994). *AT&T Launches National One-Rate Wireless Plan*, COMMUNICATIONS TODAY (May 8, 1998).

innovation that is unparalleled in other sectors of the telecommunications marketplace.

Innovation is obvious not only in the hundreds of new devices, features and applications that consumers can obtain pretty much wherever they are, but also in the deployment of new technologies that allow them to wirelessly access the Internet, send and receive data, watch video, take and send pictures, all while feeling secure in the fact that their service is reliable, of good quality and working at ever faster speeds. As I noted earlier, our carrier members have invested and continue to invest billions of dollars in network upgrades to move from second generation (2G) to third (3G) and soon fourth generation (4G) broadband wireless services that will give American consumers affordable access to more and faster services and applications – making telemedicine, distance learning and other consumer-focused initiatives a reality.

II. ECONOMIC IMPACT

In addition to delivering tremendous benefits to American consumers, the explosion of demand for mobile wireless services and the carriers' rapid deployment of faster and more robust commercial wireless networks to address that demand has had a very real impact on the U.S. economy. An economic impact study conducted two years ago by Ovum, a research firm, found approximately 3.6 million U.S. jobs were directly or indirectly dependent on the U.S. wireless industry, and that an additional 2-3 million jobs will be created in the next 10 years. The same study shows the wireless industry generated \$118 billion in revenues in 2004 and contributed \$92

billion to the U.S. Gross Domestic Product. Ovum estimated that, over the next 10 years, the U.S. wireless industry will generate gains of more than \$600 billion from the use of wireless data services, and will add another \$450 billion to the GDP.

III. WIRELESS CONSUMERS SPEAK AND COMPANIES LISTEN

U.S. wireless carriers do more than provide reliable, quality mobile wireless services and devices to consumers at prices they can afford. My member companies strive to satisfy customer demand and address consumer concerns in many additional ways. For example, in September 2003, the wireless industry unveiled a ten point “CTIA Consumer Code for Wireless Service,” a set of detailed best practices that CTIA member carrier companies agreed to follow when marketing their services and billing customers. National, regional and local wireless service providers serving 95 percent of wireless customers are signatories of the CTIA Consumer Code.

Our carriers also expend considerable resources to protect customer privacy by prosecuting pretexters who were trying to illegally obtain and sell confidential customer telephone records and obtaining injunctions against spammers who send text message solicitations to wireless customers. Wireless carriers also have gone after telemarketing companies and individuals who used pre-recorded messages in Spanish as well as techniques and technology to mask the origin of the call, known as “spoofing.”

And there is more. In 2005, wireless carriers launched a nationwide Wireless AMBER Alerts program that allows wireless subscribers to opt-in, for free, to receive Wireless AMBER Alert messages for their designated areas. Carriers also have developed and launched a national wireless recycling program through which

millions of handsets and accessories have been collected and either recycled or refurbished, with hundreds of thousands of handsets being donated to charitable organizations.

As a result of pro-active, pro-consumer initiatives like these, and the unparalleled value and choice American wireless consumers have, consumer complaints about wireless are few. According to the most recent data released by the FCC, only 26 wireless consumers per million have complaints about their wireless service.¹⁴ Of these complaints, just 1.3 consumers per million complained about contract issues.¹⁵ Further, as the FCC has just demonstrated, the FCC is fully capable and committed to making sure wireless carriers respond promptly to consumer complaints.¹⁶ This data belies the unfounded “findings” set forth at the beginning of the Staff Draft. It is extremely important that the Subcommittee not rush head-long into ill-considered legislation based on misleading extrapolations and insinuations.

¹⁴ Revealed by comparing the complaint statistics reported by the FCC’s Consumer & Governmental Affairs Bureau “Quarterly Reports on Informal Consumer Inquiries and Complaints,” rel. January 14, 2008, compared against estimated wireless subscribership as of June 30, 2007.

¹⁵ *Id.*

¹⁶ See *In the Matter of AT&T, Inc., Notice of Apparent Liability for Forfeiture*, File No. EB-08-TC-1066, (DA08-428), rel. February 19, 2008; *In the Matter of Alltel Wireless, Notice of Apparent Liability for Forfeiture*, File No. EB-08-TC-1062, (DA08-427), rel. February 19, 2008; *In the Matter of Sprint Nextel Corporation, Notice of Apparent Liability for Forfeiture*, File No. EB-08-TC-1068, (DA08-417), rel. February 19, 2008; and *In the Matter of Cricket Communications, Inc., Notice of Apparent Liability for Forfeiture*, File No. EB-08-TC-1064, (DA08-420), rel. February 19, 2008.

IV. THE CONSUMER SUCCESS STORY LAUNCHED IN 1993 IS AT RISK

Despite the tremendous consumer benefits outlined above, and the apparent satisfaction of a majority of wireless consumers with their services and devices, some states are renewing efforts to turn back the clock and regulate wireless service as a public utility.

We were encouraged when the National Conference of State Legislators (NCSL) recently passed a very important resolution recognizing that wireless is uniquely well-suited for federal oversight, rather than state-by-state regulation.¹⁷ Notwithstanding this clear policy preference articulated by state lawmakers, some state regulators have resisted their own legislatures' call for a national framework. Just last week, the Board of Directors of the National Association of Regulatory Commissioners (NARUC) decided to defer action on a "national framework" resolution approved by its own Telecommunications Committee.¹⁸ We were

¹⁷ "[I]n carrying out its consumer protection functions government must acknowledge the interstate nature of the wireless industry. **Specifically targeted government requirements ... that may vary from jurisdiction to jurisdiction while may be well meaning, will hinder the seamless provision of these services, resulting in confusion and increased costs for all customers especially for those that are not residents of the state that has taken action.**" Resolution, National Conference of State Legislatures, Twenty-First Century Communications, at 7 (November 30, 2007) (emphasis added), <http://www.ncsl.org/standcomm/sccomfc/sccomfc.htm> and <http://www.ncsl.org/print/standcomm/sccomfc/CommPolicyState-fall%2007.pdf>.

¹⁸ *Communications Daily*, "NARUC Stops Wireless Consumer Resolution Cold; Sends It Back to Committee, at 6 (Feb. 21, 2008).

disappointed to see an organization representing state utility regulators refuse to follow the lead of their own state legislatures, but we are encouraged by the bold steps taken by NARUC's Telecommunications Committee. We remain optimistic that the views of the majority of the NARUC Telecommunications Committee members who supported the resolution will prevail when the matter is considered again this summer.

Some of the opponents of the national framework misapprehend the wireless industry's position regarding the appropriate balance between the federal and state roles. Let me be clear: we have *never* argued that the states should have no role. The issue is not whether states should play a consumer protection role regarding the wireless industry. Of course they should. For example, the wireless industry is subject to the jurisdiction of the state attorneys general in all 50 states, as evidenced by the "Assurance of Voluntary Compliance" entered into by some 33 attorneys general and Cingular (now AT&T Mobility), Verizon Wireless and Sprint Nextel, establishing national, uniform consumer protection standards.¹⁹ States should exercise their role in consumer protection to the same extent they do for other competitive industries, no more and no less, by enforcing generally applicable consumer protection laws, but *not* through the promulgation of wireless-specific economic regulations.

¹⁹ Attorneys General from the following states are signatories to the AVC: Alabama, Arkansas, Colorado, Delaware, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Virginia, Wisconsin and Wyoming.

It has been well documented by experienced, peer-reviewed economists and policy experts that a patchwork of monopoly-style, state public utility regulation will thwart the investment, innovation, and job creation that has brought so much benefit to wireless consumers since 1993. The experts agree that regulatory policies for a service like mobile wireless do not impact just the consumers of the state where the regulation is enacted. Rather, state-by-state regulation of what is essentially a national service transcends geographic boundaries creating confusion AND drive up prices for wireless services of all consumers, not just consumers living in the state where state-specific regulation is enacted. This result strongly argues for policy-making at the federal level to ensure that the occasional frustrations of the few do not undermine what is working very, very well for hundreds of millions of Americans.²⁰

²⁰ See, e.g., former FCC Chief Economist, Michael L. Katz, “*The Consumer Benefits of a Consistent Regulatory Framework for Wireless Service Providers’ Billing and Disclosure Practices*,” January 2006, at 5. As noted by former FCC Chief Economist, Tom Hazlett, “A regulatory environment that differs from state-to-state can erode a provider’s ability to offer cost-efficient service through uniform national service and pricing plans.” T.W. Hazlett, *Is Federal Preemption Efficient in Cellular Phone Regulation?* 56 FED. COMM. L.J. 155, 176 (2003); see also, Declaration of Harold Furchtgott-Roth, “*In the Matter of CTIA Petition for Expedited Declaratory Ruling on Early Termination Fees*, Federal Communications Commission, WT Docket No. 05-194, at 39. (“Ironically, state efforts to impose economic regulation of wireless services by restricting rates or limiting contract terms will merely increase incentives for consumers to avoid those regulations by purchasing services in other states.”); “State and local regulation in the wireless industry has the tendency to spill across borders. When regulation in one jurisdiction has substantial effects in other jurisdictions, consumers and society can be worse off if local regulation is permitted to occur—even if state and local governments act as efficient regulators for their own jurisdiction.” George S. Ford, Thomas M. Koutsy and Lawrence J. Spiwak, *An Economic Approach to Evaluating a National Wireless Regulatory Framework*, PHOENIX CENTER POLICY BULLETIN No. 19 (Oct. 2007), at 2.

States typically regulate monopolies and utilities, not competitive services like the Internet which transcend geo-political boundaries. Wireless is no different. We are not asking for special treatment, only the same treatment accorded other competitive, non-geographically constrained businesses and services.

V. CONGRESS SHOULD CLOSE THE "OTHER TERMS AND CONDITIONS" LOOPHOLE AND FINISH THE JOB OF ESTABLISHING A TRULY NATIONAL WIRELESS FRAMEWORK

We welcome your effort to finish the process you began 1993 by establishing a national consumer protection framework that complements the national regulatory framework that has served wireless consumers and the U.S. economy so well over the past 15 years. This is a difficult challenge and one that needs to balance a desire to legislate a clear and consistent set of protections with the need to avoid unintended, anti-consumer consequences.

We have several serious concerns with the staff draft circulated earlier this month. For example, the provisions regarding ETFs would effectively require the FCC to develop cost-based schedules for each combination of carrier charges, contract length, and handset pricing, and would result in protracted legal wrangling over the appropriate methodology for determining the “cost” of a device or subsidy. The scope of the regulatory quagmire that would result from having to arbitrarily establish a cost-based schedule for wireless devices - when the prices for both service and devices, like other electronics devices, are characterized by rapidly falling prices - would surely bring the pace of innovation in billing and service plans to a grinding halt. There are several other provisions in the draft that could result in similar, unintended consequences. Therefore, my staff and I look forward to working with all

Members of the Subcommittee to extend the pro-consumer, pro-competitive paradigm you created in 1993.

Making the national framework applicable to all aspects of wireless services would not grant wireless carriers something different from other competitive businesses. Rather, it would harmonize regulation. And, it would continue to rely on the effective and successful combination of consumers exercising their right to choose the provider that best suits their needs, and carriers competing to keep their consumers happy, as the best way to drive providers to be more innovative and accountable.

VI. THE WIRELESS CONSUMER SUCCESS STORY IS CONTINGENT UPON ADDITIONAL ACCESS TO SPECTRUM AND THE ABILITY TO DEPLOY THE FACILITIES NEEDED TO USE IT

CTIA is pleased to see that the bill includes a Title that begins to deal with the problem of spectrum scarcity. U.S. wireless carriers today do more with less than do carriers in almost any other nation in the world. Of the top ten OECD markets, only three - South Korea, Canada, and Mexico - have allocated less spectrum for commercial wireless and are serving far fewer subscribers than in the U.S. We do not want to be on the bottom of such a list.

Even if you include the not as yet operational Advanced Wireless Service spectrum and 700 MHz spectrum in the calculation, each MHz of spectrum allocated for commercial wireless use in the United States serves nearly 828,000 customers (on a MHz-POP basis). If you exclude the newer bands that are not currently in use, that number is even higher. This intensely efficient spectrum usage contrasts starkly with

the practices in other countries, such as in the U.K. which has allocated more spectrum to serve fewer consumers, resulting in a subscriber density of only 202,000 subscribers per MHz of spectrum. U.S. wireless carriers have learned to be as much as four times as efficient as their foreign counterparts. That is the good news.

The bad news is that we face a very real risk that spectral efficiency alone may not be enough to enable U.S. wireless carriers to keep pace with the increasing demands of American consumers for more and faster services. The bill provides a first step towards helping the wireless companies serve American consumers with the best, fastest and most secure wireless networks in the world. I hope that the Subcommittee will lead the way to taking the next step, which is actually allocating additional spectrum for commercial use.

While America's wireless carriers will have an ongoing need for access to additional spectrum, the utility of this critical input can be maximized only if carriers can deploy the facilities necessary they need to serve consumers. Tower siting continues to pose challenges in jurisdictions from Maine to California. For carriers of all sizes, the process of gaining siting approvals is often too long, with a decision-making process that can vary widely from one jurisdiction to another. There are three reasons why CTIA is concerned about this issue.

First, the FCC's adoption of aggressive "use it or lose it" build-out mandates in the 700 MHz service rules mean that carriers that win licenses in the current auction will need to be able to site and build facilities expeditiously or face the prospect of forfeiting spectrum. Second, the success of the emergency alerts effort created by the WARN Act, as well as carriers' ability to provide reliable coverage to public safety

officials who often rely on commercial networks, depends on carriers' ability to provide gap-free coverage. And third, beyond price, coverage and reliability - measures indirectly addressed by the Staff Draft's provisions on coverage maps and service quality monitoring - are the features most important to consumers, but carriers cannot ensure ubiquitous, reliable coverage without the ability to site towers where and when they are needed.

With some modest fine tuning, the balance struck on this issue 12 years ago can be improved in a way that will benefit all of those who depend on America's wireless networks. CTIA urges the Subcommittee to streamline and standardize the siting process as you move forward with revisions to the Staff Draft.

CONCLUSION

We are at a crucial juncture in the development of the nation's wireless industry. Over the past decade and a half, more than 250 million American wireless consumers have come to expect and rely on their wireless phones, first as a safety device, then as a convenience. It may seem like magic, but the work of hundreds of thousands of dedicated men and women every day help build, maintain and expand robust and secure wireless networks - and provide customer service - enabling more than 250 million consumers to use our products and services every day. CTIA commends you, Chairman Markey, for opening the dialog on writing a new chapter for the national wireless framework that has proven so successful in the past, and we look forward to working with the Subcommittee to craft a policy that serves the needs of consumers and carriers alike.