



# NEWS

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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).

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**FOR IMMEDIATE RELEASE**  
January 31, 2001

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## **PRESS STATEMENT OF FCC COMMISSIONER GLORIA TRISTANI**

*Re: Wireless Telecommunications Bureau, Auction of Licenses for the 747-762 and 777-792 MHz Bands Postponed until September 12, 2001, Public Notice*

In July I dissented from the decision to delay the 700 MHz auction beyond the date set in law. I did not find any conflicting statutory requirements warranting delay, and if similar circumstances arose today I would make the same choice: policy matters, no matter how worthy, should not overcome our obligation to follow the law. At this point, the scheduling problems before us are of a different nature and largely of this agency's own making. For example, the timing of back-to-back auctions, with overlapping "quiet periods" that prohibit bidders from engaging in discussions with others not previously disclosed, provides only limited opportunity to assess spectrum needs and no time between auctions to consider new marketplace realities.

The challenges posed by the early auction of 700 MHz spectrum need not be burdened further by unfortunate administrative miscalculations. The Bureau asserts that this delay is necessary to address these administrative matters. While the statutory deadline continues to restrict the Commission's ability to address the larger timing concerns surrounding this auction, I do not oppose the Bureau's decision here.

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