

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: Amendment of Parts 1, 2, 15, 90 and 95 of the Commission's Rules to Permit Radar Services in the 76-81 GHz Band, ET Docket No. 15-26, Report and Order.

I must admit that I have been more than hesitant to allocate such a large swath of spectrum to auto safety systems as the item before us does. This institution has a mixed track record when it comes to seeing such technologies come to fruition. Specifically, it is now almost two decades since the Commission allocated 5.9 GHz spectrum for dedicated short-range communications (DSRC) systems and still have little to show for it. At least in this case, the vehicular radar technology exists and is deployed. In fact, today's item consolidates all radars in one place, in the 76-81 GHz band. In return for access to this spectrum, the auto industry will vacate other bands, such as 16.2-17.7 GHz and 22-29 GHz, over time. Moreover, this action is consistent with efforts to globally harmonize spectrum for vehicular radar operations in the 76-81 GHz band. For this reason, I will vote for the item.

While long range radars have been operating in one gigahertz of spectrum at 76-77 GHz, a case has been made that short-range radars need four gigahertz of spectrum to provide the necessary higher resolution to detect and identify objects at close range. The practical functions of these radars include blind spot detection, lane change assist, collision warnings, autonomous braking, and the detection of pedestrians and bicycles.¹

When I hear of these benefits, I get an odd sense of déjà vu. Several of these safety solutions are exactly the same or similar to those championed as reasons for DSRC. As I have said before, it is necessary to determine exactly what safety systems will be provided using DSRC and whether they can be provided using other technologies, including the very technology we consider today. Dedicated DSRC spectrum should not be used to provide safety functionalities – or any services for that matter – that can be offered using radars and other technologies being used or in the planning stages as we generally move towards more autonomous cars.

Limiting use of the 5.9 GHz spectrum for only safety solutions that cannot be otherwise provided elsewhere would ensure that, at a minimum, unlicensed users can share spectrum with DSRC without causing harmful interference. We may even find that the purported benefits of DSRC no longer hold up, but that will have to be a discussion for another day.

¹ See *supra* para. 3 & n.8.