

**STATEMENT OF
COMMISSIONER JAMES H. QUELLO**

**Re: Equal Access and Interconnection Obligations Pertaining
to Commercial Mobile Radio Services**

In response to Congressional action under the 1993 Omnibus Budget Reconciliation Act, the Federal Communications Commission is initiating this proceeding to examine interconnection issues for Commercial Mobile Radio Services. Today we adopt a combined Notice of Inquiry and Notice of Proposed Rule Making ("Notice").

The Notice addresses three fundamental issues: (1) Whether equal access obligations should be imposed on CMRS providers, and, in particular, on non-BOC cellular carriers? (2) Whether interconnection rates, terms and conditions provided by LECs to CMRS providers should be subject to tariff requirements? and (3) Whether CMRS providers should be subject to any obligation to provide interconnection to other CMRS providers. I note that much of the record in this proceeding was developed in response to a pre-existing petition for rule making filed by MCI. It is upon this record that the Notice proffers the sole tentative conclusion, viz., that non-BOC cellular carriers be required to offer access on essentially the same basis that is required of BOC affiliated cellular carriers under the MFJ.

The effect of the previously noted intervening Congressional action to create a comprehensive regulatory structure for the rapidly emerging competitive environment for providers of mobile communications services, however, has not been taken fully into account. Accordingly, it is appropriate that the Commission ask the specific and detailed questions posed in the Notice. I concur in the tentative conclusion only to the extent that it will focus the commentators precisely on the issue in order to more completely develop the record.

My over-riding concern is that we are proposing to impose regulatory structures borne of the MFJ, itself the product of a vastly different market structure, on new and emerging industries such as PCS. I believe that we should be asking how a competitive market for mobile communications will allow us to remove regulatory impediments rather than grafting regulatory stop-gap measures upon a family of services yet to be developed and offered by competitors to the public.

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