



May 30, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Ex Parte Presentation, *Promoting Investment in the 3550-3700 MHz Band*, GN Docket No. 17-258; *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, GN Docket No. 17-183; *Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band*, GN Docket No. 18-122

Dear Ms. Dortch,

The wireless industry urges the Commission to move forward in July on key mid-band spectrum opportunities—the 3.5 GHz band and the 3.7-4.2 GHz band—to address the United States’ international deficit with respect to mid-band spectrum availability. We applaud the Commission’s commitment to moving forward on high-band spectrum with the anticipated first auction later this year. A similar aggressive and concentrated effort to address mid-band opportunities is one of the most significant steps the Commission can take to ensure the United States wins the global race to 5G.

The Global Importance of Mid-Band Spectrum. CTIA recently released independent research showing that the United States trails China and South Korea in the global race to 5G.¹ Despite significant commercial investment in 5G technologies and services, the United States ranks only sixth out of 10 countries studied with respect to mid-band spectrum availability, which provides critical capacity and coverage characteristics for next-generation services.

Nations around the world are accelerating 5G deployment by streamlining access to mid-band spectrum. South Korea announced plans to auction 3.5 GHz spectrum next month, and Japan committed to release spectrum in the 3.6-4.2 GHz range by March 2019. Meanwhile, China released 100 megahertz of spectrum in the 3.5 GHz range to each of its national operators, which are already

¹ See Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, FCC, GN Docket No. 17-258 *et al.* (filed Apr. 17, 2018).



deploying early 5G equipment for testing in multiple cities. Notably, the standards for 5G terminals and base stations in the 3.5 GHz band are being finalized now, and the world is marching toward deployment this year. That is why it is imperative that the Commission act quickly to make additional mid-band spectrum available for wireless use and set a clear schedule of future spectrum auctions.

Finalizing the 3.5 GHz Band. The 3.5 GHz band will be the first mid-band spectrum available for commercial use, and it is critical that as much of that 150 megahertz of spectrum as possible is available for licensed use optimized for mobile broadband services. We continue to support the 3.5 GHz experimental sharing initiative and the ability of a multitude of users to take advantage of these spectrum bands through both Priority Access Licenses (PALs) and General Authorized Access. In striking the proper balance, it is paramount that the Commission provide wireless providers seeking to invest in 5G with sufficient licensed spectrum to invest and compete globally.

First, we ask that the Commission finalize its 3.5 GHz rules this July and announce a 2019 auction of the 70 megahertz of 3.5 GHz licensed spectrum. Given that South Korea, China, and Japan are moving forward rapidly with mid-band spectrum, it is critical we move forward expeditiously to both finalize the rules and set an auction date for 2019.

Second, CTIA asks the Commission to conclude its work to optimize its licensing regime to ensure that PALs promote investment and innovation. Specifically, CTIA urges the Commission to adopt investment-friendly changes, including (1) longer license terms, (2) license renewal expectation, and (3) larger geographic area licenses. With respect to license size, at the Commission's urging, we have reached a compromise with Competitive Carriers Association (CCA) that accommodates smaller geographic license areas based on counties and Cellular Market Areas (CMAs).² We continue to work with the Commission and other stakeholders on the right geographic licensing approach, and believe that the CTIA-CCA approach represents a meaningful compromise that will maximize the value of the 70 megahertz of PAL spectrum.³

² CTIA and Competitive Carriers Association submitted a meaningful compromise on PAL license areas – Metropolitan Statistical Areas in the top 306 CMAs and county-based licenses in the remaining 428 CMAs. See Letter from Rebecca Murphy Thompson, CCA, and Scott K. Bergmann, CTIA, to Marlene H. Dortch, FCC, GN Docket No. 17-258 (filed Apr. 20, 2018). Together with modifications to the CBRS secondary market policies, this compromise will address the needs of a wide array of stakeholders.

³ Introducing census tracts into the 70 megahertz of PAL spectrum raises a variety of administrative, technical, and economic concerns that risk the success of the 3.5 GHz band. Beyond the administrative complications of auctioning and managing more than 74,000 different census tract license areas, operating at such a small



Fast Tracking the 3.7-4.2 GHz Band. We applaud the Commission for announcing its intent to take the next steps to repurpose the 3.7-4.2 GHz band in July. This band is the largest mid-band spectrum band available for future mobile broadband use and should be a clear Commission priority as it is for regulators around the globe. In evaluating the best reallocation approach, we urge the Commission to (1) maximize the amount of spectrum available for mobile broadband and set aggressive target goals in the hundreds of megahertz, (2) seek comment on a broad cross-section of procedures by which to shift satellite spectrum to mobile broadband services from market-based tools to more traditional reallocation measures, and (3) set an aggressive timeline for a final decision and push stakeholders to work collaboratively on how best to accommodate incumbent satellite and video interests.

Winning the 5G Race. We commend the Commission for its clear commitment to winning the 5G race. From identifying additional spectrum to infrastructure reform, the agency is focused on the concrete steps needed at the national level for the United States to continue to lead the world in wireless. We look forward to working with the Commission on executing on its 5G agenda and investing the billions of dollars needed to deliver next-generation services to Americans. It is imperative that the Commission not miss this critical 5G opportunity.

Sincerely,

Meredith Attwell Baker
President & CEO

geographic unit would materially inhibit 5G deployment, preclude full-power operation in some instances, and reduce the overall utility and valuation of the band for mobile operators seeking to provide consumer broadband services. For example, the interference coordination and logistical challenges of navigating the 179 census tracts within Washington, D.C. alone is illustrative of the unworkability of such small licenses.

Importantly, census tracts are not a prerequisite to the development of a diverse ecosystem of PAL holders across urban and rural environments, as demonstrated by the various rural and regional providers that agree that an approach consistent with the CTIA-CCA compromise is workable. *Id.*; see also Letter from Senators Steve Daines, John Barrasso, M.D., and Dan Sullivan, to Chairman Ajit Pai and Commissioners Mignon Clyburn, Michael O’Rielly, Brendan Carr, and Jessica Rosenworcel (Apr. 16, 2018) (noting that using county-equivalent areas, CMAs, or a mix thereof “will allow rural providers to participate in the 3.5 GHz auction,” “would allow larger carriers to deploy networks without the fear of interference or degradation of their signals,” and “could allow for the best penetration and expansion into our rural areas”).