February 21, 2020

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation, Expanding Flexible Use of the 3.7-4.2 GHz Band,
GN Docket No. 18-122

Dear Ms. Dortch:

CTIA has called on the Commission to make 2020 the “Year of Mid-Band” in the United States.¹ And the Commission is poised to help make that a reality with its upcoming votes on repurposing C-band spectrum for terrestrial, flexible-use licenses and 5G services and auctioning this spectrum this year.² These actions will deliver 280 megahertz of mid-band spectrum for commercial wireless use, and the Commission should press forward with deliberate speed to ensure that the United States auctions, licenses, and clears this spectrum as soon as possible.

CTIA and its members support adoption of a Commission-administered public auction of overlay licenses in 280 megahertz of C-band spectrum,³ which is ideal for providing coverage

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³ Draft C-Band Order ¶ 22.
and capacity across the country, including in rural areas and inside buildings.\textsuperscript{4} CTIA commends the Commission for setting an auction date of December 8, 2020, and we urge the Commission to take all necessary steps to meet that schedule.\textsuperscript{5} CTIA and its members support in particular the \textit{Draft C-Band Order}'s framework that provides satellite operators with incentives to meet an accelerated clearing schedule: access to 100 megahertz in 46 Partial Economic Areas by September 30, 2021, and to the full 280 megahertz across the contiguous United States by September 30, 2023.\textsuperscript{6}

Importantly, the \textit{Draft C-Band Order} adopts a comprehensive plan to facilitate relocation that involves a Relocation Payment Clearinghouse to oversee the cost-related aspects of the transition and a Relocation Coordinator to ensure that all incumbent space station operators are relocating in a timely manner.\textsuperscript{7} CTIA welcomes the opportunity to be involved in the search committee to choose the Clearinghouse. All parties must strive to meet the specific clearing, payment, and—if necessary—dispute resolution timelines created by the \textit{Draft C-Band Order}.\textsuperscript{8} CTIA urges the Commission and industry to set aggressive timelines to ensure a December 8, 2020 auction and prompt and effective clearing.\textsuperscript{9}

In order to best ensure the goals of the C-band proceeding are met, CTIA recommends that the Commission make three small modifications to the \textit{Draft C-Band Order} and \textit{Draft C-Band Comment PN} to provide clarity and certainty to potential bidders.

\textsuperscript{4} See \textit{id.} ¶ 2-3 (noting that mid-band spectrum is “essential for 5G buildout due to its desirable coverage, capacity, and propagation characteristics”).

\textsuperscript{5} \textit{Draft C-Band Comment PN} ¶ 1.

\textsuperscript{6} See \textit{Draft C-Band Order} ¶ 155.

\textsuperscript{7} \textit{Id.} ¶¶ 225, 253.

\textsuperscript{8} See, e.g., \textit{id.} ¶¶ 155, 229-241.

\textsuperscript{9} The \textit{Draft C-Band Order} sets out numerous dates and deadlines associated with the relocation framework, including: deadlines and public notices related to the selection of the Clearinghouse and Relocation Coordinator, a deadline for the election of accelerated relocation and associated public notice, requirements for satellite operators to submit transition plans and revised transition plans to the Relocation Coordinator, the release of a public notice announcing the process for earth stations to elect lump sum payments, the release of a public notice detailing the certification requirements for accelerated clearing, and the creation of a cost category schedule. \textit{Id.} ¶¶ 201, 244, 250-51, 258, 266, 269, 270-72, 276-78.
• First, the Commission should promote contiguous spectrum blocks in the C-band. Earlier in this proceeding, CTIA emphasized that “[c]ontiguous spectrum for 5G should be prioritized to the extent possible” because “blocks of contiguous spectrum enable faster data rates, lower latency, and improved spectral efficiency (allowing more capacity in the same amount of spectrum).”\textsuperscript{10} The Draft C-Band Comment PN should ensure that the assignment mechanism provides a path for winning bidders to obtain contiguous blocks of spectrum even if they acquired blocks in separate categories.\textsuperscript{11}

• Second, the Commission should provide as much clarity as possible regarding the transition process to ensure that stakeholders’ rights and responsibilities are understood. For example, the Commission should make clear that earth station operators that elect to transition to fiber rather than maintaining satellite reception must complete their transition by the relevant accelerated relocation deadline.\textsuperscript{12} This modest clarification will provide earth station operators, bidders, and the administrator of the Relocation Payment Clearinghouse with added certainty regarding the relocation process, thereby better enabling a smooth post-auction transition.

• Third, the Commission should clarify that 3.7 GHz Service licensees do not have an obligation to protect any new FSS earth stations within CONUS in the 4.0-4.2 GHz band.\textsuperscript{13}

By moving quickly to license and clear C-band spectrum and make available other mid-band frequencies, the Commission can help maintain U.S. leadership in wireless and ensure that American consumers and the U.S. economy reap the benefits that 5G promises—job creation,


\textsuperscript{11} See Draft C-Band Comment PN ¶ 80.

\textsuperscript{12} See Draft C-Band Order ¶ 201.

\textsuperscript{13} See \textit{id.} ¶ 151. Specifically, the Commission should clarify in Section 25 of its rules that any new FSS earth stations that did not meet the operational, licensing or registration, and certification requirements in proposed Section 25.138 shall not be entitled to interference protection from 3.7 GHz Service licensees. \textit{See Draft C-Band Order, Appendix A} at 2. The Commission should further clarify that the power flux density limits in proposed Section 27.1423 of the Commission’s rules only apply with respect to protecting earth stations that met the operational, licensing or registration, and certification requirements set forth in proposed Section 25.138 of the Commission’s rules.
economic growth, the promise of smart cities, and improvements in public safety, health care, our environment, and much, much more.

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Pursuant to Section 1.1206 of the Commission’s rules, this notice is being filed in ECFS. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann
Scott K. Bergmann
Senior Vice President, Regulatory Affairs