



PUBLIC NOTICE

Federal Communications Commission
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DA 19-371

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**OFFICE OF ENGINEERING AND TECHNOLOGY AND WIRELESS
TELECOMMUNICATIONS BUREAU SEEK COMMENT ON BIDIRECTIONAL SHARING
PURSUANT TO RAY BAUM'S ACT OF 2018**

GN Docket No. 19-128

Comment Date: May 31, 2019

Reply Comment Date: June 17, 2019

By this *Public Notice*, the Office of Engineering and Technology and the Wireless Telecommunications Bureau (Bureaus) seek comment on bidirectional sharing as directed by Congress in the Ray Baum's Act of 2018.¹ That Act requires the Commission, in collaboration with NTIA, to submit a report that examines aspects of providing Federal entities flexible access to non-Federal spectrum on a shared basis across a range of short-, mid-, and long-range timeframes, including for intermittent purposes like emergency use.

Pursuant to the Ray Baum's Act of 2018, the Commission is required to give notice and provide an opportunity for public comment before submitting to Congress no later than September 23, 2019, a report that:

- (1) Considers the regulatory certainty that commercial spectrum users and Federal entities need to make longer-term investment decisions for shared access to be viable; and
- (2) Evaluates any barriers to voluntary commercial arrangements in which non-Federal users could provide access to Federal entities.²

Accordingly, we now invite interested parties to provide comments to guide the Commission as it prepares this report.

Comments and Reply Comments: Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.³ All pleadings are to reference GN Docket No. 19-128. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). You may submit comments, identified by GN Docket No. 19-128, by any of the following methods:

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.

¹ Repack Airwaves Yielding Better Access for Users of Modern Services (RAY BAUM'S) Act of 2018, Pub. L. 115-141, § 610, 132 Stat. 1080, 1108 (2018).

² *See id.*

³ 47 C.F.R. §§ 1.415, 1.419.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

Comments and reply comments filed in response to this Public Notice will be available via ECFS. These documents also will be available for public inspection during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554.

Ex Parte Presentations: This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b).⁵ In proceedings governed by section 1.49(f)⁶ or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules. We note that our *ex parte* rules provide for a conditional exception for all *ex parte* presentations made by NTIA or other Federal representatives.⁷

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the

⁴ 47 C.F.R. § 1.1200 *et seq.*

⁵ 47 C.F.R. § 1.1206(b).

⁶ 47 C.F.R. § 1.49(f).

⁷ *See* 47 C.F.R. § 1.1204.

Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, please contact Becky Schwartz, Wireless Telecommunications Bureau, at Becky.Schwartz@fcc.gov or 202-418-7178, or Aspasia Paroutsas, Office of Engineering and Technology, at Aspasia.Paroutsas@fcc.gov or 202-418-7285.

By the Chief, Office of Engineering and Technology, and Wireless Telecommunications Bureau.

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