



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
fto.fcc.gov

DA 17-696

Released: July 19, 2017

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON WiMAX FORUM PETITION PROPOSING RULES FOR THE AERONAUTICAL MOBILE AIRPORT COMMUNICATION SYSTEM

RM-11793

Comment Date: August 18, 2017

Reply Date: September 5, 2017

By this *Public Notice*, we seek comment on a petition filed by the WiMAX Forum proposing service rules for the Aeronautical Mobile Airport Communications System (AeroMACS).¹ AeroMACS refers to a collection of high data rate wireless networks that are used in accordance with international aeronautical standards for airport surface operations to provide broadband communications between aircraft and other vehicles, as well as between critical fixed assets. It operates in the 5000-5030 MHz and 5091-5150 MHz bands, and will be utilized by Federal and non-Federal users.² Proposed uses include air traffic management, including air traffic control; aeronautical operations communications; and communications related to airport operations, safety, and security. Non-Federal users may include airport owners and operators, airline carriers, aeronautical communications network providers (ACNPs), and other entities that engage in airport communications relating to safety and regularity of flight.

The WiMAX Forum proposes that AeroMACS spectrum be shared between Federal and non-Federal users pursuant to a memorandum of agreement (MOA) negotiated between the National Telecommunications and Information Administration (NTIA) on behalf of Federal users, and a private entity designated by the Commission as the Channel Manager. It argues that employing an MOA, rather than prescribing sharing mechanisms, will enable NTIA and the Channel Manager to employ whatever sharing approaches work best at any given time for a particular airport in order to maximize the efficient use of AeroMACS spectrum.

Non-Federal AeroMACS operations would be licensed by rule under part 95 of the Commission's rules, with users required to register proposed sites in a database administered by the Channel Manager, which would determine eligibility and assign channels. The WiMAX Forum asserts that use of a

¹ See WiMAX Forum Petition for Rulemaking to Adopt AeroMACS Service Rules (filed Mar. 31, 2017).

² The Commission has allocated the 5000-5030 MHz and 5091-5150 MHz bands for Federal and non-Federal AeroMACS use, but it deferred adoption of service rules to a separate proceeding. See *Amendment of Parts 2, 15, 80, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2012)(WRC-12), Other Allocation Issues, and Related Rule Updates*, Report and Order, 32 FCC Rcd 2703, 2717-18, paras. 39-40 (2017); 47 CFR § 2.106, Footnotes US115, US444B.

centralized Channel Manager and database will promote efficient and equitable coordination among eligible non-Federal users, ensure nationwide consistency in the assignment and use of available channels, and facilitate sharing of the AeroMACS bands with Federal users in a manner that will avoid interference.

The WiMAX Forum also proposes certain technical requirements and standards for AeroMACS equipment (based on relevant international standards), which would be codified in part 87 of the Commission's rules.

We seek comment on the petition for rulemaking. In particular, we seek comment on the proposed licensing scheme and use of a Channel Manager to determine eligibility and coordinate non-Federal channel usage. We also seek comment on what non-Federal entities should be authorized to use AeroMACS, especially ACNPs or other third party network access providers that would provide service on an AeroMACS network. Finally, commenters should address the appropriate technical characteristics and equipment certification requirements.

Procedural Matters

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 above. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).³

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- 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 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

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

This proceeding has been designated 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

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

⁴ See 47 CFR §§ 1.1200(a), 1.1206.

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 rule 1.1206(b). In proceedings governed by rule 1.49(f) 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.

For further information, contact Mr. Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2155, tim.maguire@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

- FCC -