

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Expanding Flexible Use in Mid-Band Spectrum)	GN Docket No. 17-183
Between 3.7 and 24 GHz)	

To: The Commission

COMMENTS ON NOTICE OF INQUIRY

iHeartMedia + Entertainment, Inc. (“iHeartMedia”) hereby submits these Comments on the Commission’s Notice of Inquiry in the matter of Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz, GN Docket No. 17-183, released August 3, 2017 (the “*NOI*”). iHeartMedia appreciates the Commission’s goal towards the efficient use of the Mid-Band spectrum, while protecting incumbent uses of that spectrum, such as receive-only earth stations. Because such earth stations are not licensed, and registration with the Commission is voluntary, current Commission records vastly undercount this incumbent use of the 3.7-4.2 GHz band. Earth station reception from satellites is highly sensitive to interference, so that authorizing other services to install nearby transmission systems would likely create intolerable interference to established satellite reception. Consequently, any proposals to make the 3.7-4.2 GHz band available for wireless broadband or other services must take particular care to account for, and protect, these incumbent uses.

iHeartMedia is a leading global media and entertainment company specializing in radio, digital, outdoor, mobile, social, live events and on-demand entertainment. Subsidiaries of iHeartMedia include the licensees of 860 full-service broadcast radio stations, serving 164 markets throughout the United States. Also under the iHeartMedia umbrella is Premiere

Networks, which syndicates 90 radio programs and services to more than 5,000 radio affiliations, reaching over 190 million listeners weekly.

iHeartMedia relies heavily on receive-only earth stations operating in the 3.7-4.2 GHz portion of the Mid-Band to receive programming for broadcast to the public by its radio stations, including sports programming and syndicated programming from numerous sources. Specifically, iHeartMedia employs over 260 receive-only earth stations utilizing the 3.7-4.2 GHz band.

Furthermore, iHeartMedia's Premiere Networks' syndicated programs are most typically captured by its 5,000 radio affiliates via their receive-only earth stations operating in the 3.7-4.2 GHz portion of the Mid-Band. Another use of C-band facilities is exemplified by Premiere Networks partnering with the Federal Emergency Management Agency ("FEMA") to transmit the Emergency Alert System ("EAS") nationwide message to Premiere's radio affiliates as a redundant delivery method to ensure full, country-wide participation.

Just recently, the AMC-8 C-band satellite used to distribute programming by Premiere Networks, among other radio networks, was replaced by the AMC-18 satellite, requiring affiliates to re-orient their receive-only earth station dishes from the 139-degree west longitude arc of AMC-8 to the 105-degree west longitude arc of AMC-18. ^{1/} These

^{1/} See "There's a New Satellite in Town," Radio World (Nov. 10, 2016) at <http://www.radioworld.com/news-and-business/0002/theres-a-new-satellite-in-town/336677> (quoting John Joslin of satellite equipment dealer DAWNco: "The radio sat move is a big deal that will affect almost every radio station. Some stations will simply re-aim their dish at an off-peak time. Others with junky old dishes will need a new 3.7-meter satellite antenna to properly receive signals from the new satellite."); see also "Satellite Reminder — AMC-8 Going Dark," Radio World (May 31, 2017) at <http://www.radioworld.com/headlines/0045/satellite-reminder--amc8-going-dark/339771> (Learfield, Orbital Media Networks, Premiere Networks, Skyview Networks and Westwood One reminding affiliates that AMC-8, a main programming distribution

re-orientation efforts, which in some circumstances required investment in replacement equipment, were undertaken with the expectation of continued reliable access to the C-band distribution network.

As permitted by the Commission's rules, iHeartMedia's receive-only earth stations are *not registered* with the Commission. ^{2/} Nor are most of the receive-only earth stations used by Premiere Network's 5,000 radio affiliates registered under Part 25. The low percentage of voluntary registration by radio broadcasters reflects the Commission's long standing efforts to cut usage burdens by deregulating receive-only earth stations, first by removing mandatory licensing for stations operating with domestic satellites in 1979, ^{3/} next by removing most application requirements in 1986, ^{4/} then by converting to a streamlined registration process in 1991, ^{5/} and most recently, in 2015, by eliminating the need to license receive-only earth stations communicating with non-U.S. licensed space stations approved for U.S. market access. ^{6/}

channel, will be going dark in less than 30 days).

^{2/} See 47 C.F.R. § 25.131(b), (j)(2). To the best of iHeartMedia's knowledge and review of Commission databases, none of its receive-only earth stations have partaken in voluntary registration; only iHeartMedia's uplink facilities are licensed.

^{3/} See *Regulation of Domestic Receive-Only Satellite Earth Stations*, First Report and Order in Docket 78-374, 74 F.C.C.2d 205, 217 (1979).

^{4/} See *Regulation of Domestic Receive-Only Satellite Earth Stations*, Second Report and Order in Docket 79-374, 104 F.C.C.2d 348, 354 (1986).

^{5/} See *Amendment of Part 25 of the Commission's Rules and Regulations to Reduce Alien Carrier Interference between Fixed-Satellites at Reduced Orbital Spacings and to Revise Application Processing Procedures for Satellite Communications Services*, First Report and Order, CC Docket No. 86-496, 6 FCC Rcd 2806, 2807 (1991).

^{6/} See *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, IB Docket 12-267, 30 FCC Rcd 14713, 14812 (2015).

In the *NOI*, the Commission seeks comment on the potential for more intensive use of the 3.7-4.2 GHz band for wireless broadband. ^{7/} Recognizing in general the existing uses of the 3.7-4.2 GHz band, the NOI asks “whether the Commission’s information about the incumbents is complete and up to date”; whether “incumbent users need to update information about their operations”; and whether there are “further steps that the Commission needs to take to ensure that it has the needed information about incumbent operations?” ^{8/}

Clearly, given the optional registration status of receive-only earth stations operating in the 3.7-4.2 GHz band, and the few radio broadcasters availing themselves of such registrations, the Commission’s records critically undercount the current density of use of that spectrum by incumbents. Indeed, the sole figures in the *NOI* that might include non-registered usage are 1988 numbers cited from a 1993 NTIA “Preliminary Look” at spectrum usage. ^{9/}

Without a current, accurate assessment of the widespread, but unregistered, use of the 3.7-4.2 GHz band, any decisions by the Commission as to the feasibility of additional uses of this spectrum will risk serious disruption to the country’s communications infrastructure, and the information, entertainment and sports programming relied upon by the public. Consequently, the Commission must undertake a more current, and more accurate, assessment of incumbent usage of the 3.7-4.2 GHz band prior to the consideration of this spectrum for wireless broadband or other additional services.

^{7/} *NOI* at ¶¶ 16, 18.

^{8/} *Id.* at ¶¶ 12, 16.

^{9/} *Id.* at n. 20.

Respectfully submitted,

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