

9 October 2019

**Ex Parte**

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

*Re: Expanding Flexible Use of the 3.7 to 4.2 GHz Band*; GN Docket No. 18-122

Dear Ms. Dortch:

On 7 October 2019, James Frownfelter, Chairman and CEO of ABS Global Ltd. (ABS), Elise Pickering, and undersigned counsel met with Commissioner O’Rielly and his Chief of Staff, Joel Miller, on behalf of the Small Satellite Operators (SSOs).

We described the SSOs’ investments in the U.S. C-band, and the importance of their U.S. authorizations to their global satellite businesses. We also expressed the following views:

- The Commission should reallocate 300 MHz of C-band spectrum to allow terrestrial mobile services, which can be implemented quickly through the use of compression technology.
- A substantial portion of the reallocation proceeds should be deposited in the U.S. Treasury.
- A substantial portion of the proceeds should be used to incentivize earth station operators to relocate from the lower part of the band promptly.
- The SSOs would support a private auction conducted by the C-Band Alliance (“CBA”), provided that it was governed by Commission rules that ensured an open and transparent process, and a fair and equitable distribution of the proceeds among all C-band satellite operators with FCC authorizations to serve the United States.
- The CBA’s proposed exclusion of the SSOs would be arbitrary, anticompetitive, contrary to precedent, and awful spectrum policy. Confiscating licensed spectrum from the SSOs after their significant network investment would wreak a fundamental change not just in the terms of the SSOs’ authorizations, but in what FCC licenses mean—and in what they are worth.
- The SSOs will continue to engage other parties in good faith, and to help the Commission reach a decision that will make room for 5G service quickly, lawfully, and fairly.

Please contact us if you have any questions.

Sincerely,



Scott Blake Harris  
Shiva Goel  
*Counsel to the Small Satellite Operators*

cc: meeting attendees