

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
	)	
Wireless Telecommunications Bureau Seeks	)	WT Docket No. 06-150
Comment on Process for Relicensing 700 MHz	)	
Spectrum in Unserved Areas	)	
	)	

**REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION**

Competitive Carriers Association (“CCA”)<sup>1</sup> respectfully submits these reply comments in response to the record and the *Public Notice* (“Notice”) released by the Federal Communications Commission’s (“FCC” or “Commission”) Wireless Telecommunications Bureau (“Bureau”) seeking comment on additional reforms to modernize the relicensing process for 700 MHz spectrum in unserved areas.<sup>2</sup> CCA generally supports the FCC’s goal to free up unused 700 MHz spectrum to advance innovative services in unserved and underserved areas, and echoes certain recommendations from the record to improve the relicensing process.

The wireless industry is on the brink of a massive technological shift. Along with streamlined infrastructure siting procedures and a reformed Universal Service program, spectrum is a critical input that will determine the viability of smaller carriers as the demand for data increases and next-generation technologies are realized.<sup>3</sup> CCA agrees that a clear path for future

---

<sup>1</sup> CCA is the nation’s leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents nearly 100 associate members including vendors and suppliers that provide products and services throughout the mobile communications supply chain.

<sup>2</sup> *Wireless Telecommunications Bureau Seeks Comment on Process for Relicensing 700 MHz Spectrum in Unserved Areas*, Public Notice, WT Docket No. 06-150 (rel. Aug. 28, 2017) (“Notice”).

<sup>3</sup> Comments of Competitive Carriers Association, WT Docket No. 17-69 at 26 (filed May 8, 2017) (“CCA MCR Comments”).

spectrum availability will ensure competitive carriers have access to low-, mid-, and high-band spectrum to deploy next-generation mobile broadband and, eventually, 5G networks. Further, as proposed in the record, sound and streamlined relicensing procedures also will reduce incentives of the two largest carriers to warehouse additional useable spectrum and will foster a competitive marketplace. As T-Mobile notes, it is critical to prevent against spectrum warehousing, which ultimately stunts mobile broadband deployment and is contrary to the public interest.<sup>4</sup> While industry moves toward next-generation technologies and the Internet of Things (“IoT”), CCA agrees that freeing up additional spectrum for use in unserved and underserved areas is an important benchmark toward deployment of ubiquitous 5G and next-generation technologies, and supports the Commission’s goal to offer spectrum for competitive use.

As Chairman Pai’s Digital Empowerment Agenda (“DEA”) recognizes, the benefits of wireless broadband in rural America are boundless.<sup>5</sup> But carriers cannot make this future for success a reality without the proper spectrum resources. It is therefore critically important for the Commission to pursue innovative solutions to free up underused spectrum, as identified in the *Notice*. To that end, CCA applauds the FCC’s recent spectrum initiatives, including the 600 MHz incentive auction which was implemented to create more spectrum and fill gaps in wireless competition.<sup>6</sup> The Commission perceptively noted that “[o]ur country faces a major challenge to ensure that the speed, capacity, and accessibility of our wireless networks keeps pace with these demands in the years ahead, so the networks can support the critical economic, public safety,

---

<sup>4</sup> Comments of T-Mobile USA, Inc., WT Docket No. 06-150 at 6 (filed Sept. 27, 2017) (“T-Mobile Comments”).

<sup>5</sup> Remarks of FCC Commissioner Ajit Pai, “A Digital Empowerment Agenda,” The Brandery at 5 (Sept. 13, 2016), available at [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-341210A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-341210A1.pdf) (“DEA”).

<sup>6</sup> *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd. 6567, ¶ 1 (2014) (“*Incentive Auction Report and Order*”).

health care, and other activities that increasingly rely on them.”<sup>7</sup> CCA likewise supports the FCC’s goal to promote fair and flexible licensing policies in the 3.5 GHz band in a Notice of Proposed Rulemaking to be voted on at its October 2017 Open Meeting.<sup>8</sup> Yet while the FCC considers these proposals, next-generation and IoT technologies continue to rapidly evolve, creating a thirst for spectrum in the market that the FCC can and should immediately address.

Indeed, millimeter wave spectrum is imperative to fostering next-generation technologies, however, these transmissions have a much shorter range than low-band spectrum, and carriers need a robust spectrum portfolio including low-band resources to achieve 5G success, especially in rural areas. Specifically, the 700 MHz band is critical for competitive carriers’ ability to thrive in the mobile wireless market, which is why CCA carrier members spent approximately \$1.8 billion on 700 MHz spectrum, and \$1 billion on 700 MHz A Block spectrum alone in Auction 73.<sup>9</sup> As CCA has noted, spectrum at 700 MHz will propagate nearly 3.5 times further than spectrum in the AWS band, and is more readily usable at the current time than the 600 MHz spectrum being reallocated through the FCC’s incentive auction.<sup>10</sup> Once put to use, this spectrum will traverse broad geographic areas often found in rural and unserved portions of the country, and will allow carriers to maximize the physical infrastructure necessary to build robust networks. Additionally, carriers can use 700 MHz spectrum to add capacity to

---

<sup>7</sup> *Id.* ¶ 1.

<sup>8</sup> *Promoting Investment in the 3550-3700 MHz Band*, Fact Sheet & Draft Notice of Proposed Rulemaking and Order, GN Docket No. 17-258 (rel. Oct. 3, 2017) (“Draft 3.5 GHz NPRM”).

<sup>9</sup> FCC Auctions Summary, Auction 73, *available at* [http://wireless.fcc.gov/auctions/default.htm?job=auction\\_summary&id=73](http://wireless.fcc.gov/auctions/default.htm?job=auction_summary&id=73) (last updated June 19, 2012).

<sup>10</sup> Testimony of Steven K. Berry, CCA, Before the House Energy and Commerce Committee Hearing “Broadband: Deploying America’s 21<sup>st</sup> Century Infrastructure” at 14 (Mar. 10, 2017), *available at* <http://docs.house.gov/meetings/IF/IF16/20170321/105740/HHRG-115-IF16-Wstate-BerryS-20170321.pdf>.

existing networks to better satisfy consumers' increasing demand for next-generation services. For these reasons, the FCC should provide flexibility in its 700 MHz relicensing procedures.

CCA supports recommendations in the record that carriers retain flexibility in meeting spectrum buildout requirements. First, as CTIA notes, the FCC should decline to adopt a specific field strength limit and allow 700 MHz licensees to “instead prove a coverage showing that is based on real-world service to the public.”<sup>11</sup> The FCC’s *Notice* proposes two processes by which a licensee can identify a “served” area; first, a licensee could submit a shapefile showing a smooth enclosed 40 dBμ V/m field strength contour (“Smooth Contour”), or in the alternative, a licensee could demonstrate service by using a lower dBμ V/m field strength smooth contour to show that the service area, as measured, is at least 25 percent larger than it would be using the field strength Smooth Contour (“Alternative Smooth Contour”).<sup>12</sup> While CCA agrees with the FCC’s goal to ensure licensees submit an accurate representation of network coverage in their service area, the Commission should refrain from imposing an arbitrary field strength metric.<sup>13</sup> Instead, the FCC should allow carriers to specify a reasonable service threshold without limitation, to determine the best methods for demonstrating coverage in their service area. Carriers of all sizes need flexibility to correctly define their service area while maximizing all available resources,<sup>14</sup> and should not be held to an arbitrary threshold. Protecting against this will allow the FCC to review submissions on a case-by-case basis, and ensure carriers provide the necessary detail needed to determine whether buildout requirements are satisfied.

---

<sup>11</sup> Comments of CTIA, WT Docket No. 06-150 at 2 (filed Sept. 27, 2017) (“CTIA Comments”).

<sup>12</sup> Notice ¶¶ 7-8.

<sup>13</sup> See CTIA Comments at 3; T-Mobile Comments at 3.

<sup>14</sup> See Comments of Rural Wireless Association, Inc., WT Docket No. 06-150 at 4 (filed Sept. 27, 2017) (“RWA Comments”).

Likewise, CCA agrees with comments in the record that advocate for a straightforward relicensing application process.<sup>15</sup> CCA understands and agrees that the 700 MHz spectrum should be put to its highest and best use. In doing so, CCA encourages the FCC to balance this consideration with the significant resources that carriers who currently hold 700 MHz spectrum have expended to acquire and construct the spectrum. The Commission should not forget the delayed timeframe that 700 MHz Lower A block licensees had to deploy 4G services, through no fault of their own. The Commission should continue to promote permission-less innovation to ensure carriers can adequately deploy 700 MHz spectrum to consumers in rural and remote areas.

Policymakers also should explore other ways to unleash additional spectrum resources, including through legislative initiatives like S.19, the Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless, or MOBILE NOW Act. Policies that streamline deployment and make additional spectrum available for mobile broadband fuel robust expansion of advanced telecommunications services, which ultimately drive significant innovation, economic growth, and job creation. CCA similarly supports the Advancing Innovation and Reinvigorating Widespread Access to Viable Electromagnetic Spectrum Act (AIRWAVES Act), which would create a system of competitive bidding for new licenses on various frequencies to be made available for commercial spectrum use. As noted, it is imperative that the FCC and Congress continue to move rapidly to foster fair and robust access to spectrum resources for all carriers, especially in rural areas. To that end, CCA supports the bipartisan H.R. 1814, the Rural Spectrum Accessibility Act, recently introduced by

---

<sup>15</sup> See CTIA Comments at 7; T-Mobile Comments at 5.

Representatives Kinzinger and Loeb sack, which allows carriers to partition or disaggregate a spectrum license to make unused spectrum available to small carriers to serve certain rural areas.

Additionally, as noted above, CCA encourages the FCC to move forward with proposals set forth in Chairman Pai's DEA. In addition to creating a "rural dividend" to supplement existing funding sources by setting aside 10% of the money raised from spectrum auctions for the deployment of mobile broadband in rural America,<sup>16</sup> the Commission should consider extending initial license terms to fifteen years, coupled with reasonable enhanced buildout obligations.<sup>17</sup> Indeed, certainty of an extended license term could incentivize longer-term investments in rural and remote areas. At the same time, CCA reiterates that smaller geographic license areas are critical for rural and regional carriers to gain a fair opportunity to acquire or lease spectrum in areas that match their existing territories.<sup>18</sup>

Finally, CCA encourages the Commission to take a holistic approach to modernizing its spectrum licensing procedures. The FCC recently released a Further Notice of Proposed Rulemaking in the Wireless Radio Services proceeding, which seeks broad comment on ways to ensure that spectrum licenses are used to make radio communications available to all consumers, regardless of where they live.<sup>19</sup> As the FCC acknowledges, it is important to implement a "unified regulatory framework... that enhances competition and facilitates robust use of the nation's scarce spectrum resources."<sup>20</sup> Adopting smart and consistent proposals in each of these proceedings will help the Commission meet its goal to create a uniform, modern spectrum

---

<sup>16</sup> DEA at 4.

<sup>17</sup> See CCA MCR Comments at 30.

<sup>18</sup> *Id.* at 31.

<sup>19</sup> *Wireless License Renewal and Service Continuity Reform*, Draft Second Report & Order and Further Notice of Proposed Rulemaking, WT Docket No. 10-112 (rel. July 13, 2017) ("Draft WRS FNPRM").

<sup>20</sup> Draft WRS FNPRM ¶ 1.

regime that accurately reflects carriers' use of spectrum resources and extends mobile broadband services across all areas of the United States.

CCA looks forward to working with the FCC, Congress, and industry to ensure underused spectrum is appropriately utilized to facilitate robust mobile broadband services to all consumers. As the Commission reviews the record and moves forward to reform 700 MHz relicensing procedures, it should collectively review other spectrum proposals and legislative initiatives to create a uniform spectrum licensing regime that can effectively support a wireless market on the brink of deploying next-generation technologies.

Respectfully submitted,

/s/ Rebecca Murphy Thompson  
Steven K. Berry  
Rebecca Murphy Thompson  
Courtney Neville  
COMPETITIVE CARRIERS ASSOCIATION  
805 15th Street NW, Suite 401  
Washington, DC 20005  
(202) 449-9866

October 10, 2017