



AMERICAN PETROLEUM INSTITUTE

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

In the Matter of )  
 ) GN Docket No. 17-258  
Promoting Investment in the 3550-3700 MHz Band; )

The Telecommunications Subcommittee of the American Petroleum Institute ("API") submits this comment to the comments of the Comcast Corporation ("Comcast") in response to FCC 17-258, a Notice of Proposed Rulemaking ("NPRM") of Petitions for Rulemaking Regarding the Citizens Broadband Radio Service ("CBRS").

API is a national trade association representing more than 625 companies involved in all phases of the petroleum and natural gas industries, including exploration, production, refining, marketing and transportation of petroleum, petroleum products and natural gas. Among its many activities, API acts on behalf of its members before federal and state regulatory agencies. The API Telecommunications Subcommittee evaluates and develops responses to state and federal proposals affecting telecommunications facilities used in the oil and gas industries. API is supported and sustained by companies that make use of a wide variety of wireline, wireless and satellite communications services on both a private and commercial basis. All wireless services used by our membership require RF spectrum resources, of both narrowband and broadband varieties.

API finds traditional cable operators like Comcast as highly capable of helping to improve broadband access in areas that traditional land-line and large wireless carriers have left underserved. Comcast is considering use cases of many potential customers, as well as how to target their areas of service to best maximize their efforts. As such, it is not surprising that API supports most of Comcast's positions, including 1) Making all PAL's available for auction, 2) Allowing the Spectrum Allocation System ("SAS") to assign specific channels, versus bidding on specific blocks, 3) Maintaining current technical rules including Out-of-Band emission limits, and 4) Prohibiting public disclosure of Citizen's Broadband Service Device ("CBSD") information outside of SAS administrators.

However, API is not in full agreement and wishes to elaborate on the following difference between our responses to FCC 17--258:

- 1) License Area by County: API has stressed the retention of licensing area by census tract and not by Partial Economic Area (PEA). Comcast has stated some very compelling reasons why county based (or Parish/District as appropriate) licensing should not only be considered, but it has

precedence. They argue that it “strikes a balance” between PEAs and census tracts, with no distinction between urban or rural counties. API has suggested a similar alternative as well, but for rural counties only. Urban counties, like Comcast’s home county of Philadelphia, which encompasses the entire city of Philadelphia, would have a PAL valuation based 1.5 million population that would make it off-limits to smaller entities such as a large refinery or other industrial facility. In effect, urban county PALs under the Comcast proposal are so large and populous that their license PAL valuation would make them unobtainable due to economics for all but major telecommunication companies. Thus, in absence of a purely census tract based approach, API only supports Comcast’s county based license area proposal for rural counties, and feels that urban counties need to remain as census tract based licenses.

- 2) License Term: Comcast argues that a 7-year term with renewal expectancy is the right way for the Commission to license CBRS. API has expressed that while they don’t have an issue if a 10-year term includes buildout requirements whose progress is checked at the 5-year mark, they also support several respondents like Motorola Systems who have proposed a 5-year term. That said, API feels that a 7-year term is very much in the spirit of promoting investment in the band, while at the same time guaranteeing legitimate use longevity. While Comcast’s approach to the license term is slightly different than the one that API has proposed, it remains a balanced approach as it lends recognition to API’s belief that less than a 5-year term will be detrimental to the success of CBRS. Thus, Comcast’s 7-year term proposal does align with our membership’s desire for a 5 to 10 year licensing term, with performance requirements that will result in renewal expectancies.

We hope that the Commission understands API’s stance with respect to the Comcast response and will remain true to CBRS as a “Citizen’s” band by supporting license areas and terms that make PALs reasonable to obtain in both urban and rural areas.

Respectfully submitted,

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API