



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 Motorola Solutions, Inc ("MSI") 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 supports most of MSI position in regards with the retention of licensing area by census tract and not by Partial Economic Area (PEA), as it mirrors the joint response from API and ENTELEC to 17-258. This position maximizes deployment opportunities for users of smaller, high quality of service ("QoS") private networks with interference protected spectrum. This higher QoS is essential for critical oil and gas communications. We agree with MSI position that allowing wide-area access (PEA licensing) to interference protected spectrum would be cost prohibitive to smaller critical infrastructure users due to the high infrastructure and licensing costs. In summary, extending the size of the geographic area for PAL licenses will therefore reduce the number of auction participants and negatively impact the diversity of innovative broadband solutions for the CBRS that the Commission intended to promote.

While API has not supported a position on a specific hybrid licensing scheme, we are open to the idea in rural areas. In no event do we support licensing by means other than census tracts in urban areas as that would result in urban license valuations beyond that of all but the larger carriers. Thus, while API firmly believes that a hybrid scheme is not in the spirit of CBRS for

urban areas, API does lend support to MSI's suggestion of census tract and county-sized licensing hybrid approach, but only within rural areas.

API and MSI are in partial alignment for initial 5-year license terms, however, API has suggested an initial 5-year term with renewal expectancies provided reasonable build-out requirements are met, would be an alternative to a 10-year term scheme. This scheme allows the Commission to ensure progress in a licensee's build-out. We feel this is in the spirit of what MSI wants as well, as their main concern is that if indefinite renewals are allowed in wide-area regions this would result in underutilization of protected spectrum, especially in rural areas.

In summary, it is important that the Commission does not develop rules that will put critical infrastructure at a disadvantage to obtaining spectrum. It is also paramount to protect investment for critical infrastructure, by allowing for renewals if the infrastructure is already in place.

Respectfully submitted,

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