



Wireless
Infrastructure
Association

October 15, 2018

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Communication, Amendment of Part 90 of the Commission's Rules to Improve Access to Private Land Mobile Radio Spectrum, WP Docket No. 16-261; Land Mobile Communications Council Petition for Rulemaking Regarding Interim Eligibility for 800 MHz Expansion Band and Guard Band Frequencies, RM-11719; Creation of Interstitial 12.5 Kiloherzt Channels in the 800 MHz Band Between 809-817/854-862 MHz, WP Docket No. 15-32, RM-11572

Dear Ms. Dortch:

On October 11, 2018, the undersigned of the Wireless Infrastructure Association (WIA)¹ met with Rachel Bender, Legal Advisor to Chairman Ajit Pai and Will Adams, Legal Advisor to Commissioner Brenden Carr.

WIA strongly supports the Creation of Interstitial 12.5 Kiloherzt Channels in the 800 MHz Band Between 809-817/854-862 MHz Draft Report and Order and Order because the draft order opens additional opportunities for licensees by allowing access to new

¹ The Wireless Infrastructure Association (WIA) is the principal organization representing companies that build, design, own, and manage telecommunications facilities throughout the world. WIA's members include carriers, infrastructure providers, and professional services firms.

spectrum such as adding 318 interstitial channels in the 800 MHz Mid-band and by facilitating new uses, from new entrants, for existing frequencies.²

WIA encouraged the FCC to remain charted on its pro-competition course and resist any attempt to establish a preferential licensing scheme for the benefit of 800 MHz incumbents. WIA urged the Commission to act swiftly to approve the Amendment of Part 90 of the Commission's Rules Report and Order and Order to remove unnecessary barriers to more efficient use of PLMR spectrum and enhances wireless communications capabilities.

Consistent with previous filings, WIA asked the Commission to harmonize the differing rules that apply to compound expansions. WIA noted that its members continue to face regulatory hurdles when applying for Eligible Facilities Requests (EFRs) under Section 6409 of the Spectrum Act (Section 6409).³ WIA emphasized the importance for the FCC to correct the misinterpretations of Section 6409 and the Commission's previous infrastructure streamlining decisions.⁴

² *Creation of Interstitial 12.5 Kilohertz Channels in the 800 MHz Band Between 809-817/854-862 MHz*, Draft Report and Order and Order, WP Docket No. 15-32 (rel. Oct. 02, 2018); *Amendment of Part 90 of the Commission's Rules to Improve Access to Private Land Mobile Radio Spectrum*, Draft Report and Order and Order, WP Docket No. 16-261 (rel. Aug. 18, 2016).

³ See Letter from Sade Dada, Wireless Infrastructure Association, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 17-79, WP Docket No. 17-84 (filed Sept. 10, 2018).

⁴ *Id.*

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter will be filed via ECFS and provided to each participant. Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,

/s/D. Zachary Champ

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Vice President, Government Affairs

Wireless Infrastructure Association

cc: The Honorable Ajit Pai
Rachel Bender
The Honorable Brendan Carr
Will Adams