

Congress of the United States
Washington, DC 20515

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January 17, 2019

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai:

We are encouraged that the Federal Communications Commission is demonstrating its sincerity with respect to advancing policies to enable new and enhanced high-speed broadband services for our constituents. Broadband is essential to our increasingly connected lives, economic growth, and national competitiveness.

While we support efforts to close the digital divide, we write to ensure that any forthcoming broadband proposals reflect the importance of existing services that may be affected by changes in Commission policy. With respect to the FCC's spectrum management responsibility, this balance must consider protection of the existing services upon which consumers rely, as well as the associated investment by incumbent users of this spectrum.

These considerations are especially critical for the Commission as it considers permitting new commercial wireless services and shared use in the 3.7 – 4.2 GHz spectrum band, as proposed in the *Order and Notice of Proposed Rulemaking* adopted on July 12, 2018. This spectrum band, also known as the "C-band," is licensed to satellite companies and is heavily relied upon by a vast number of stakeholders in rural and non-rural areas alike, including those that deliver content for television and cable programming. This content is distributed to more than 100 million American households through thousands of cable and satellite providers, over 1,000 broadcast television stations, and a growing number of over-the-top service providers. Additionally, radio services use C-band frequencies to connect local public and commercial stations to popular national networks and syndicated programming. In fact, nearly every television viewer and radio listener depends on C-band spectrum to reliably receive content. Additionally, the C-band satellite licensees and their content delivery customers have invested billions of dollars in the launch of satellites and construction of earth station infrastructure to deliver this content to consumers across the nation.

In seeking a balanced approach, the Commission must further endeavor to avoid disruptions in the services American consumers currently enjoy. The Commission must also carefully consider the potential for interference from new terrestrial users to incumbent operations and, if it finds the benefits outweigh the harms, tailor its technical rules appropriately to avoid such interference.

To be clear, we do not oppose examination of new, additional uses of the C-band. This mid-band spectrum could prove to support coverage and capacity for next-generation technology that is critical to the nation, including 5G wireless services. However, in the event the Commission opens the C-band for spectrum reallocation, the Commission should, at minimum, ensure that incumbents are made whole for costs incurred as a result of any new services or shared uses in the band. Finally, any reallocation of this important spectrum band must be overseen by the FCC, who has a responsibility to facilitate and manage spectrum policy in a manner that promotes the public interest.

Thank you for your thoughtful consideration of this request. Should you wish to discuss these matters further, please do not hesitate to contact us.

Sincerely,



Tony Cárdenas
Member of Congress



Adam Kinzinger
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 6, 2019

The Honorable Adam Kinzinger
U.S. House of Representatives
2245 Rayburn House Office Building
Washington, D.C. 20515

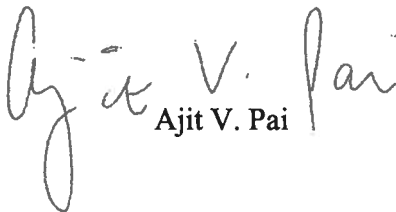
Dear Congressman Kinzinger:

Thank you for your letter on the 3.7-4.2 GHz band, commonly called the “C-band.” I agree with you that our ability to maximize the public value of this band is closely linked to ensuring that we can protect incumbent earth stations, cable operators, and commercial and public broadcasters who currently rely on the band.

That is exactly why Commission staff last year worked with such users to collect needed information (such as their locations). That is why the Commission unanimously adopted at our July 2018 meeting an information collection targeted to better understanding how existing satellite operators use the band. And that is why the Commission sought public input on how to protect incumbent users through any transition—whether through an auction or a market transaction—with the FCC exercising appropriate oversight. With these steps, the Commission hopes to be able to “avoid disruptions in the services American consumers currently enjoy,” as you request.

Thank you once again for expressing your views in your letter, which will be entered into the record of this proceeding and will be fully considered as part of the Commission’s review. Please let me know if I can be of any further assistance.

Sincerely,


Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 6, 2019

The Honorable Tony Cárdenas
U.S. House of Representatives
1510 Longworth House Office Building
Washington, D.C. 20515

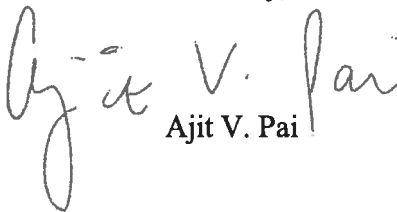
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