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Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Transforming the 2.5 GHz Band – WT Docket No. 18-120 – NOTICE OF EX
PARTE PRESENTATION*

Dear Ms. Dortch:

I am writing pursuant to Section 1.1206(b)(2) of the Commission's rules to report that on February 26, 2019, Lynn Rejniak and Todd Gray, representing the National EBS Association, and David Moore and the undersigned, representing the Catholic Technology Network, met with Commissioner Starks and William Davenport regarding the above-referenced proceeding. The attached document summarizes the issues addressed during our meeting.

Respectfully submitted,

/s/ Edwin N. Lavergne

Edwin N. Lavergne

cc William Davenport
Lynn Rejniak
Todd Gray
David Moore

WT Docket No. 18-120 (Transforming the 2.5 GHz Band)

1. **EBS Works.** EBS did have a difficult start decades ago, when it was used for video service. However, EBS was revitalized in 2004, when the entire 2.5 GHz band was overhauled to accommodate wireless broadband service. Today, EBS works for everyone – educators, students, commercial operators, and consumers.

- EBS is not hampering investment in the 2.5 GHz band.
- EBS is not slowing commercial deployment in the band.
- EBS is not holding-up spectrum needed for 5G.
- **Nothing is broken; nothing needs fixing.**

From a policy perspective, EBS facilitates digital education without government subsidies. Educators educate; commercial operators serve customers for a profit. These entirely different objectives are *both* furthered by the existing EBS regulatory model.

2. **Licensed EBS Spectrum is Widely Deployed.** Licensed EBS spectrum is *not* underutilized. In areas where EBS is licensed, which cover about 85% of the U.S. population, the spectrum is widely deployed. EBS is underutilized only in “white space” areas where it has not yet been licensed. These unlicensed areas cover only about 15% of the U.S. population.
3. **EBS is Important to Education.** The notion that EBS is no longer necessary for education because many EBS licensees *ride over-the-top* of commercial broadband networks and lease 95% of their capacity is a misnomer. Shared networks were anticipated and encouraged by the FCC as a means of making efficient use of spectrum. Leasing spectrum capacity makes perfect sense in a broadband environment where greater spectrum efficiencies can be achieved if a single entity subdivides and combines channels. The Commission encouraged such leasing, and educators embraced that call by establishing successful public-private partnerships with commercial service providers.
4. **EBS White Space Should be Licensed Through Priority Filing Windows.** Because the existing EBS model works, local priority filing windows should be used to license EBS white space, which covers just 15% of the U.S. population. To address concerns that filing windows could position new EBS licensees as middlemen who could be unjustly enriched, the Commission should retain educational use requirements and continue to limit EBS eligibility to local accredited institutions and governmental organizations.