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October 26, 2018

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

Re: ***Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band***
ET Docket No. 13-49

Dear Ms. Dortch:

The Wireless Internet Service Providers Association ("WISPA") writes in support NCTA's request that the Commission adopt a Further Notice of Proposed Rulemaking or seek a refresh of the existing record to accelerate the availability of unlicensed spectrum in the 5850-5925 MHz band (the "5.9 GHz band").¹

NCTA's letter recites at length the benefits that access to additional unlicensed spectrum would bring, especially for the next generation of Wi-Fi deployments, and the 20-year record of warehoused licensed DSRC spectrum that has resulted in non-use of a now-vital spectrum resource. WISPA agrees that "the country can no longer afford to hold 75 megahertz of optimal spectrum in reserve with the hope that the next twenty years will somehow be different than the last two decades of stagnation."²

WISPA writes to emphasize that the need for more unlicensed spectrum is not confined to Wi-Fi. In addition, as consumers use more and more bandwidth and the 5 GHz U-NII band becomes more and more congested, there is substantial and increasing demand for additional unlicensed spectrum to support other objectives. In particular, the availability of up to 75 megahertz of spectrum immediately adjacent to the 5 GHz U-NII band and the 6 GHz band where unlicensed use is contemplated³ will be extremely useful for higher-EIRP rural fixed wireless broadband deployments. WISPA's members have made extensive and intensive use of the 5 GHz band, which is used to serve millions of consumers that lack other alternatives to terrestrial broadband in their homes, farms, and businesses. Equipment can be easily adapted to operate in the 5.9 GHz band and quickly deployed.

¹ See Letter from Rick Chessen, NCTA, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Oct. 16, 2018). WISPA has been an active participant in this proceeding. See, e.g., Comments of WISPA, ET Docket No. 13-49 (filed July 6, 2016).

² *Id.* at 1.

³ See *Unlicensed Use of the 6 GHz Band, Notice of Proposed Rulemaking*, ET Docket No. 18-295, FCC-CIRC1810-02 (Oct. 2, 2018). The Commission unanimously adopted the NPRM at its October 23, 2018 open meeting.

To realize these benefits, it is important for the Commission to re-start the process by adopting a Further Notice of Proposed Rulemaking or a Public Notice seeking comments to refresh the record. In so doing, the Commission should not propose technical rules that would foreclose consideration of higher-EIRP operations similar to those used in the adjacent 5 GHz band and that will enable use of the 5.9 GHz band for rural broadband deployment. The long record of effective sharing among unlicensed devices in the 5 GHz and other unlicensed bands illustrates the ability of unlicensed devices of all types to co-exist.

Respectfully submitted,

/s/ Claude Aiken
President & CEO