



October 29, 2018

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Expanding Flexible Use of the 3.7 to 4.2 GHz Band, GN Docket No. 18-122; Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission's Rule to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3.7-4.2 GHz Band, RM-11791; Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service, RM-11778*

Dear Ms. Dortch,

Altice USA, Inc. ("Altice USA" or "the Company") writes in response to the Commission's Notice of Proposed Rulemaking seeking comment on various proposals for increasing the amount of spectrum available for flexible wireless use in the 3.7-4.2 GHz spectrum band ("C-Band").¹ At this early stage of Commission consideration, the Company's views on potential changes to the C-Band are informed by two perspectives:

Protect Video Operations: *First*, use of the C-Band is critical to distribution of the Company's video operations to its 4.9M video customers. Thus, the Commission should proceed cautiously, and a guiding principle for any changes should be to ensure that there is neither disruption to, nor cost imposed on, cable operators and/or customers.

Support Competitive Wireless Entry: *Second*, as a general matter, the Company applauds Commission initiatives designed to promote efficient deployment of spectrum and create a

¹ See *In re Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order and Notice of Proposed Rulemaking, GN Docket No. 18-122, FCC 18-91 (rel. July 13, 2018).

vibrant, competitive ecosystem to benefit wireless consumers.² As the Company has explained in other contexts,³ Altice USA is a national leader in WiFi deployment and is investing heavily to offer a mobile wireless offering in 2019. To the extent the C-Band proceeding results in efficient spectrum allocation designed to support additional competitive entry and customer choice – with no interference or costs imposed on cable operators or customers – then the Commission’s proposals could result in a pro-consumer outcome. However, given the amount of spectrum currently held by MNOs, preference should be given to non-MNOs to provide the most opportunity for competitive entry.

Additionally, the Company urges serious consideration of the following with regard to the potential effect of this proceeding on video operations:

The C-Band Is Critical to Distributing Video to Altice USA Customers. Altice USA, like many other cable providers, delivers its core video programming to subscribers across its 21-state service territory using earth stations in the C-Band. As one of the largest video service providers in the United States, Altice USA relies on close to 150 earth stations to distribute video programming to its 4.9M residential and business customers.⁴ These earth stations not only deliver important video programming, like sports and entertainment, but also weather and other public safety information. Any interference to Altice USA’s earth station operations would disrupt delivery of essential programming to consumers.

Alternatives to Use of the C-Band May Not Be Viable, Especially in Smaller, Rural Markets. Altice USA could face significant challenges if it had to transition video programming operations in the C-Band to either fiber or to satellites in the Ku-Band. Although the delivery of video programming using fiber offers certain advantages in comparison to earth stations, fiber can be more logistically challenging and costly as a distribution mechanism, especially in some of the smaller, more rural markets the Company serves.⁵ Transitioning operations to the Ku-Band similarly would present challenges and potential costs, which should not be borne by cable operators or their customers. Specifically, it is unlikely that the Ku-Band could support the

² Of recent note, the Commission struck the right balance in its recent licensing/technical revisions to the 3.5 GHz band, and its proposals to make more spectrum available for additional WiFi and other unlicensed use in the 6 GHz and 5.9 GHz bands are to be commended.

³ See Petition of Altice USA, Inc. to Condition or Deny Applications of T-Mobile US, Inc. and Sprint Corporation, WT Docket No. 18-197 (filed Aug. 27, 2018).

⁴ Given the importance of these earth stations to Altice USA’s video business, the Company recently expended significant resources to register its earth stations with the Commission to ensure that these stations receive interference protection in the event the Commission pursues its proposal to reallocate any portion of the C-Band for terrestrial wireless use.

⁵ In Altice USA’s Optimum footprint, the Company receives a small number of cable channels from New York metropolitan area-based programmers via direct fiber connections.

additional capacity needed to handle the services on the C-Band, and the cost of use of Ku-Band spectrum would likely increase. The Ku-Band is also more susceptible to rain fade, which could decrease the reliability of video programming, with the concomitant prospect of customer frustration.

Altice USA appreciates consideration of these concerns, and more generally, the Commission's efforts to foster efficient allocation of spectrum and consumer choice in wireless.

Respectfully submitted,

/s/ Paul Jamieson

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