

March 7, 2019

**VIA ECFS**

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

**Re: Notice of Ex Parte Presentation**

**GN Docket No. 18-122**, *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*  
**RM-11791**, *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-11778**, *Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service*

Dear Ms. Dortch:

On March 5, 2019 Colleen King of Charter Communications, Inc. ("Charter") and the undersigned met with Umair Javed of Commissioner Rosenworcel's office regarding the above-captioned matters.

At the meeting, we summarized Charter's proposal for the Commission to exercise its clear statutory authority to determine the appropriate portion of the C-Band to reallocate for terrestrial use and then award the resulting terrestrial licenses through a system of competitive bidding that satisfies the requirements of the Communications Act.<sup>1</sup> We explained that this approach would ensure this important spectrum resource is made available for 5G use in the quickest, fairest, most efficient way possible. We noted that, in exercising this authority, the Commission could maximize the amount of spectrum to be repurposed by transitioning at least some earth station users to fiber rather than relying solely on the launch of additional satellites (as the CBA has proposed and its vendors support, not surprisingly).

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<sup>1</sup> See Letter from Elizabeth Andrion, Charter, and Howard J. Symons, Jenner & Block LLP to Marlene H. Dortch, FCC, GN Docket No. 18-122 (filed Feb. 22, 2019).

We also explained how the relocation reimbursement and reserve charge aspects of the proposal were supported by past Commission practice;<sup>2</sup> outlined the litigation risks presented by the proposal advanced by the C-Band Alliance;<sup>3</sup> and explained why the recent Commission decisions put forward by the C-Band Alliance in support of its proposal do not in fact offer any precedent for that proposal.<sup>4</sup>

Please direct any questions regarding the foregoing to the undersigned.

Respectfully submitted,

/s/ Elizabeth Andrion

Elizabeth Andrion  
Senior Vice President  
Regulatory Affairs

cc: Umair Javed

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<sup>2</sup> *See id.* at 5-6.

<sup>3</sup> *See id.* at 7-13.

<sup>4</sup> *See id.* at 13-16.