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March 13, 2019

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 March 12, 2019, Todd Gray, representing the National EBS Association ("NEBSA"), and Ed Lavergne and Donna Balaguer, representing the Catholic Technology Network ("CTN"), met with Blaise Scinto, John Schauble, Nancy Zaczek, Nadja Sodos-Wallace, Christiaan Segura, and Catherine Schroeder of the Wireless Telecommunications Bureau regarding the above-referenced proceeding.

We discussed EBS renewal standards. Specifically, in the Notice of Proposed Rulemaking ("*Notice*") in this proceeding at paragraph 55, the Commission asked for comment on bringing existing Educational Broadband Service ("EBS") licensees, once their licenses have been rationalized, into the Wireless Radio Services ("WRS") harmonized framework for license renewal. We indicated that the WRS renewal standard set forth in Section 1.949 of the Commission's rules could be applied to both existing and new EBS licenses with appropriate safe harbors. Under the WRS renewal framework, a licensee will meet the renewal standard by certifying it has satisfied a safe harbor which is based on the license's existing performance requirements (47 C.F.R. §1.949(e)). If the framework is applied to EBS as it was to other wireless licenses, including the Broadband Radio Service, then an EBS licensee could meet the renewal standard by certifying it has satisfied the existing performance requirements for EBS set forth in Section 27.14(o) of the Commission's rules. Specifically, an EBS licensee should be able to assert the renewal safe harbor by certifying it meets any of the safe harbors in Section 27.14(o), including the educational safe harbor noted by the Commission in the paragraph 52 of the *Notice*.

The EBS substantial service safe harbor in Section 27.14(o)(2)(iii) incorporates the educational use requirement of twenty hours per channel per week. In the WRS renewal proceeding, the Commission did not alter wireless licensees' performance requirements but rather incorporated those requirements into the renewal safe harbor. The same should hold true for EBS.

Respectfully submitted,

/s/ Edwin N. Lavergne

Edwin N. Lavergne

cc Todd Gray
 Blaise Scinto
 John Schauble
 Nancy Zaczek
 Nadja Sodos-Wallace
 Christiaan Segura
 Catherine Schroeder