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**Writer's Direct Access**  
**Greg Kunkle**  
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March 30, 2018

**Via Electronic Filing**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: GN Docket No. 17-258**  
**Notice of Ex Parte Presentation**

Dear Ms. Dortch:

On March 28, 2018, Tim Bryan, CEO, National Rural Telecommunications Cooperative (“NRTC”); Brian O’Hara, Senior Director Regulatory Issues, National Rural Electric Cooperative Association (“NRECA”); Jill Canfield, Vice President of Legal & Industry Assistant General Counsel, NTCA – The Rural Broadband Association (“NTCA”); Ross Vincenti, Chief Legal Officer, Federated Wireless; Dave Wright, Director, Regulatory Affairs and Network Standards, Ruckus Networks; and the undersigned met with Commission staff from the Wireline Telecommunications Bureau and Office of Engineering and Technology to discuss proposed rules for the 3550-3700 MHz Citizens Broadband Radio Service (“CBRS”).<sup>1</sup>

During the meeting, we discussed the importance of ensuring the sizes of Priority Access Licenses (“PALs”) encouraged auction participation by a wide number of potential licensees, including electric utilities and telecommunications providers serving rural America. We also discussed the ability of the Commission’s auction system to accommodate a variety of different licensing paradigms. NRTC, NRECA, and NTCA distributed copies of their February 22, 2018 *ex parte* notification (attached hereto), and recommended the Commission adopt final rules as described therein to promote service in rural areas. Most importantly, NRTC, NRECA, and NTCA stated that auctioning Priority Access Licenses by PEAs would foreclose opportunities for rural wireless services. NRTC, NRECA, and NTCA expressed their willingness to continue to work with the Commission to build consensus on the final framework for the CBRS.

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<sup>1</sup> See Promoting Investment in the 3550-3700 MHz Band, *Draft Notice of Proposed Rulemaking and Order*, FCC-FIRC1710-04, GN Docket 17-258 (rel. Oct. 3, 2017).

## KELLER AND HECKMAN LLP

Marlene H. Dortch

March 30, 2018

Page 2

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), a copy of this letter is being filed electronically for inclusion in the public record of this proceeding. Please contact the undersigned if you have any questions.

We look forward to continuing to work with the Commission on this matter.

Sincerely,

/s/

Greg Kunkle

CC: Margaret Wiener  
Dana Shaffer  
Paul Powell  
Don Stockdale  
Matthew Pearl  
Christiaan Segura  
Martha Stancill  
Robert Pavlak  
Jessica Greffenius  
Peter Trachtenberg  
Eliot Maenner  
Julie Knapp  
Gary Michaels

Attachment

1001 G Street, N.W.  
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Writer's Direct Access

February 22, 2018

**Gregory E. Kunkle**  
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**Via Electronic Filing**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: GN Docket No. 17-258  
**Notice of Ex Parte Presentation**

Dear Ms. Dortch:

On February 21, 2018, Tim Bryan, CEO, National Rural Telecommunications Cooperative ("NRTC"); Brian O'Hara, Senior Director Regulatory Issues, National Rural Electric Cooperative Association ("NRECA"); Jill Canfield, Vice President of Legal & Industry Assistant General Counsel, NTCA – The Rural Broadband Association ("NTCA") and the undersigned met with Chairman Ajit Pai and his legal advisor for wireless issues, Rachael Bender, to discuss proposed rules for the 3550-3700 MHz Citizens Broadband Radio Service ("CBRS").<sup>1</sup> We met separately with Commissioner Michael O'Rielly and his legal advisor for wireless issues, Erin McGrath.

During the meetings, NRTC, NRECA, and NTCA stated their support for the CBRS and their belief that the CBRS will be a significant tool for telecommunications providers and electric utilities serving rural America. NRTC, NRECA, and NTCA distributed the attached slides at the meetings and recommended the Commission adopt final rules as described therein to promote service in rural areas. Most importantly, NRTC, NRECA, and NTCA stated that auctioning Priority Access Licenses by PEAs would foreclose opportunities for rural fixed wireless services. NRTC, NRECA, and NTCA expressed their willingness to continue to work with the Commission to build consensus on the final framework for the CBRS.

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<sup>1</sup> See Promoting Investment in the 3550-3700 MHz Band, *Draft Notice of Proposed Rulemaking and Order*, FCC-FIRC1710-04, GN Docket 17-258 (rel. Oct. 3, 2017).

## KELLER AND HECKMAN LLP

Marlene H. Dortch, Secretary  
February 22, 2018  
Page 2

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Sincerely,

/s/

Greg Kunkle

### Attachment

cc: Chairman Pai  
Commission O'Rielly  
Rachael Bender  
Erin McGrath

# Presentation to the United States Federal Communications Commission

**Washington, DC**  
February 21, 2018



Member driven. Technology focused.



# Who are the rural interests?



- Trade association for rural electric cooperatives
- 900 Members
- 15% of nation's homes
- 75% of nation's geography



- Operating company providing technology to rural utilities
- 1,500 Members
- Fixed and mobile wireless, smart grid, solar, ISP, fiber, video, and satellite broadband



- Trade association for approximately 850 small community-based telecom companies and cooperatives providing voice and broadband on advanced networks
- NTCA members serve less than 5% of the nation's population across the most rural third of the nation's landmass

# Who are we? NRTC

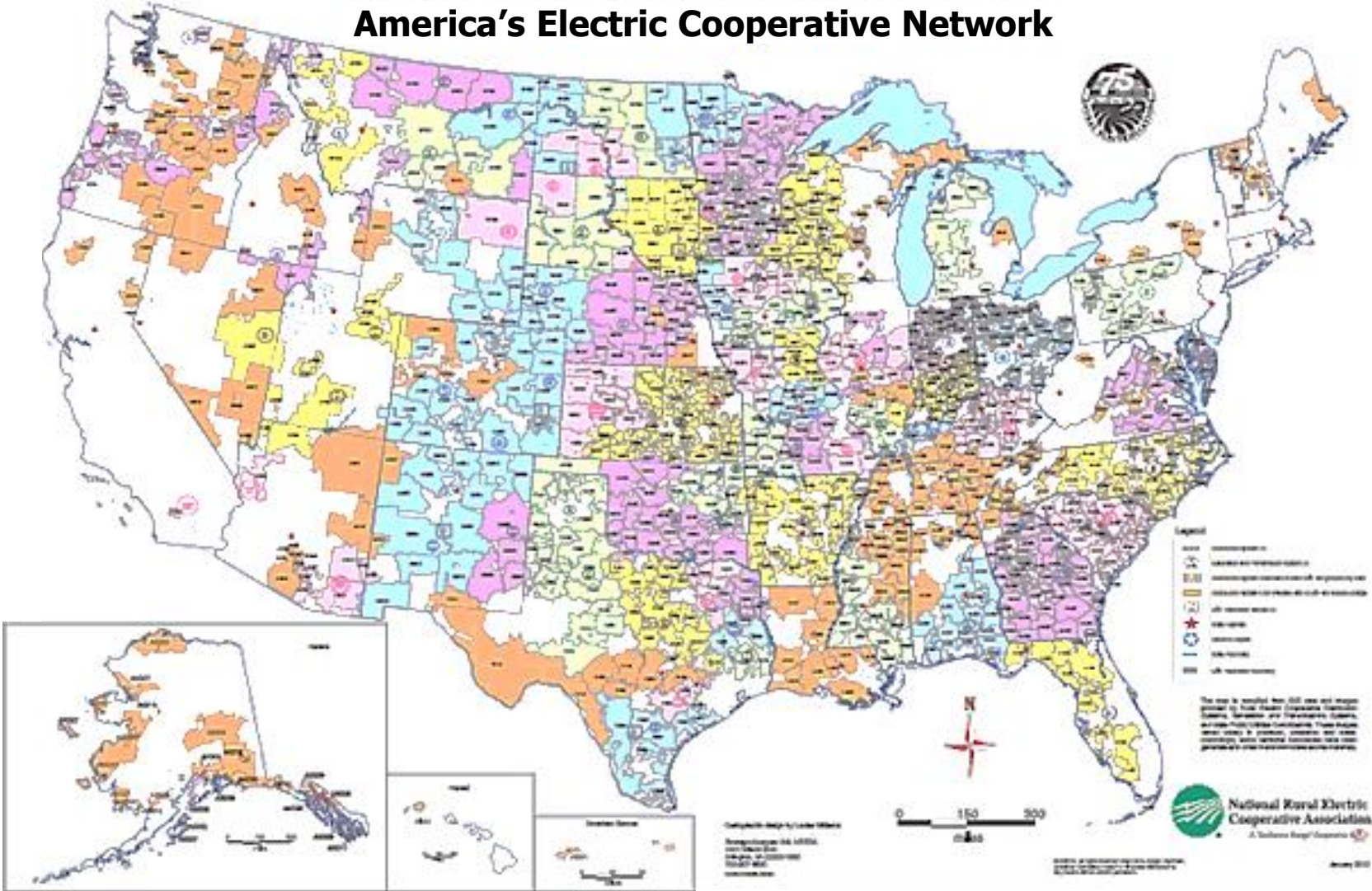




# Who are we? NRECA



America's Electric Cooperative Network

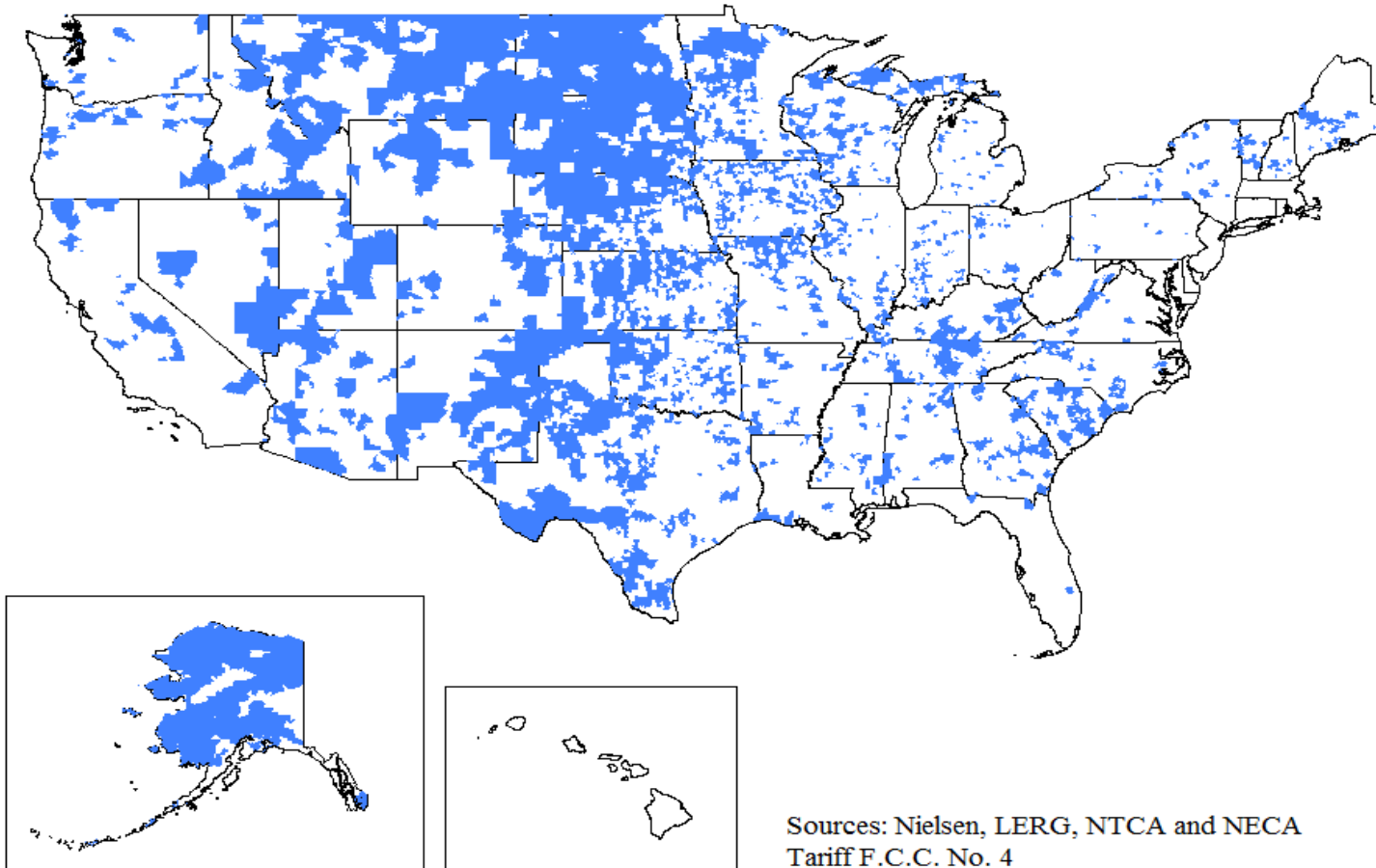




# Who are we? NTCA



NTCA-The Rural Broadband Association



Sources: Nielsen, LERG, NTCA and NECA  
Tariff F.C.C. No. 4

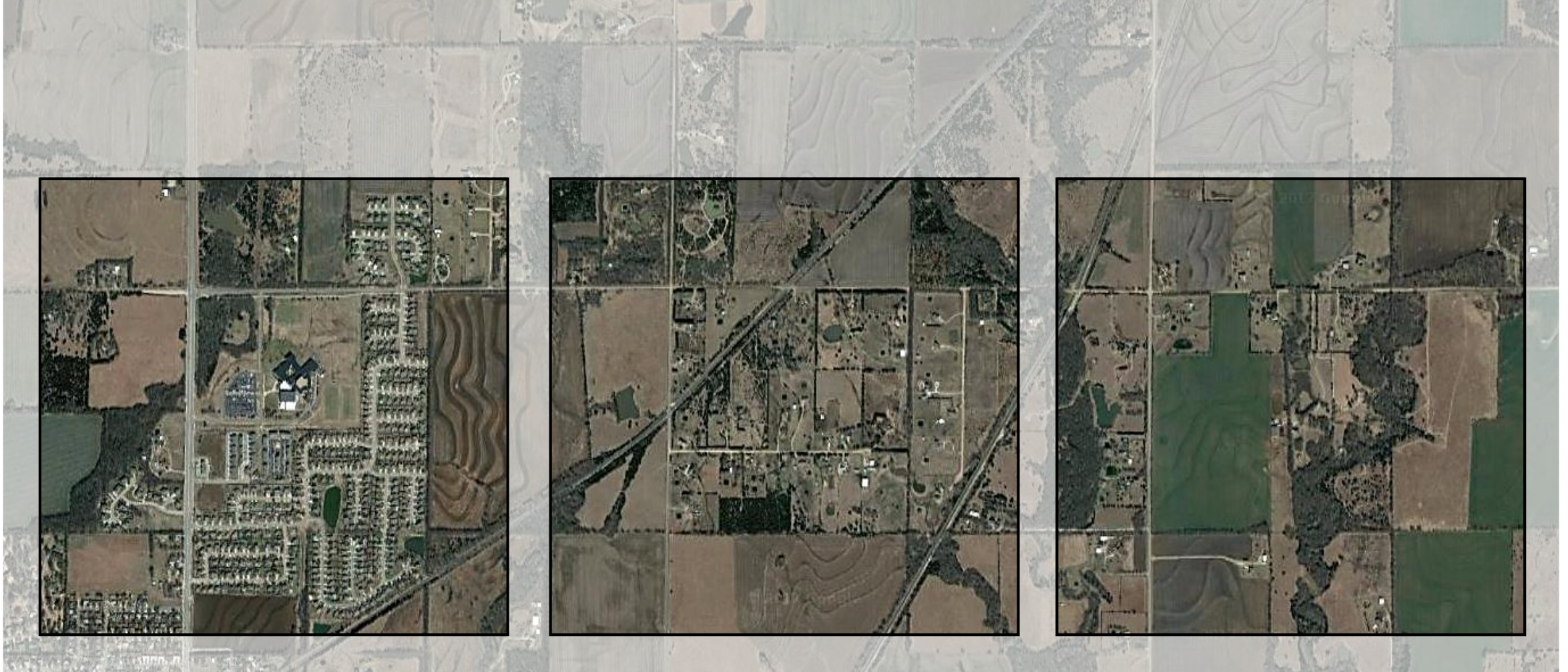


## Why are we here today

- The nation's rural utilities have a substantial interest in the Citizens Band Radio Service (CBRS) proceeding
- The rural telecom companies and rural electric cooperatives have extensive mission critical wireless network requirements as well as rural broadband missions
- Economics dictate that fixed wireless will be a critical component in closing the rural broadband gap, therefore....

**We want to advocate for a consensus plan that meets the requirements of a diverse group of CBRS interested parties**

# Rural broadband networks will continue to require multiple technologies





# Rural broadband networks will continue to require multiple technologies



Fiber to the Home



Fixed Wireless



Satellite Broadband





## What do we want? PAL license term and renewability

- We support the notion of 7 to 10 year renewable licenses. In general, most operators will be unlikely to invest in spectrum for mission critical (and grid critical) applications without a long term ability to operate in such frequency band.
- We do not believe the change to 7 to 10 year terms will materially decrease the demand for CBRS spectrum versus the demand that might develop with 3 year terms.
- We support the notion that “substantial service” or some other performance requirement is a prerequisite for license renewability after the initial term.
- Due to GAA availability, traditional construction milestones may not be as useful to avoid warehousing. We recommend instead that the FCC provide for an economic incentive to those PAL holders who have deployed service within, for example, the first 4 years of the license term.

**We support 7 to 10 year renewable license terms.**



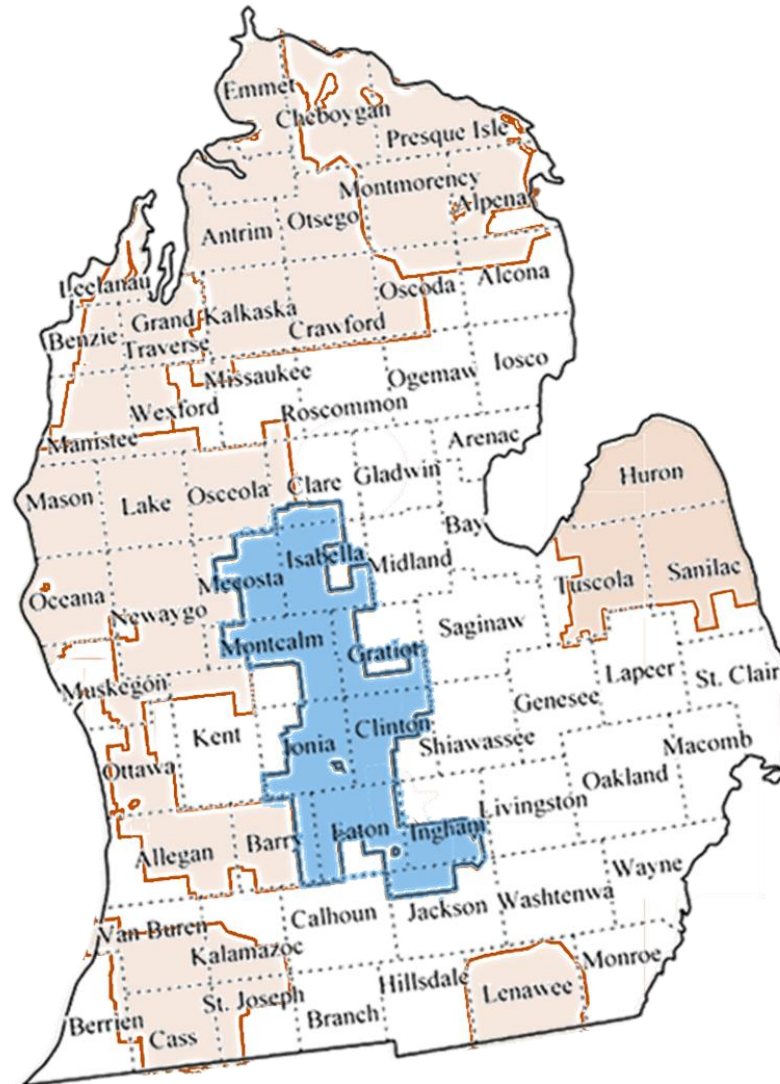
## What do we want? Geographic license areas




- We do not support the notion of licensing the PALs with Partial Economic Area (PEA) boundaries.
- We agree with commenters that PEAs favor larger established operators, and disfavor the rural, smaller, and new entrant providers that CBRS was specifically designed to enable.
- We support the notion of county boundaries for 5 of the PALs, and support census tract boundaries for the remaining 2 PALs. We believe that the smallest of operators will be able to thrive with up to 20 MHz of dedicated licensed spectrum, particularly given our view that the GAA spectrum is unlikely to be as widely used in rural areas when compared to suburban and urban use.
- We support lowering the aggregation limit to 3 PALs. We believe the FCC should encourage rural, smaller, and new entrant auction participants.

**We support county boundaries (5) and census tract boundaries (2) for PALs.**

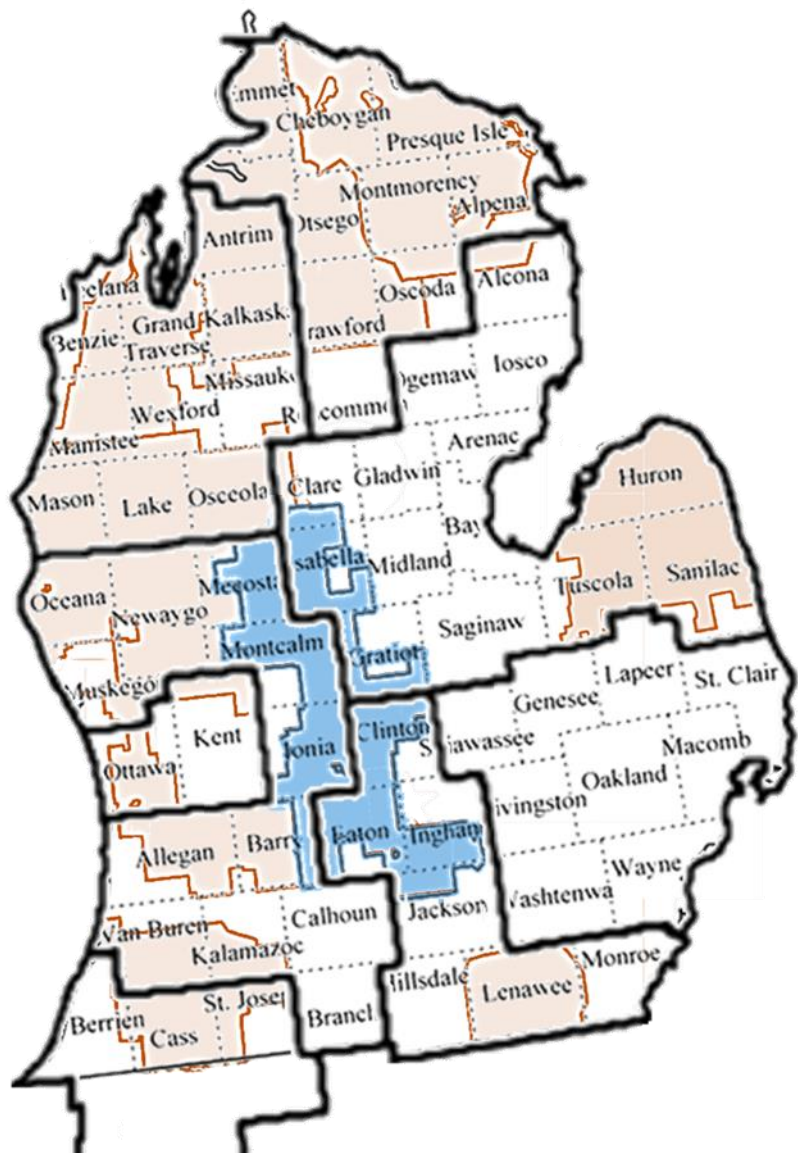






# Geographic License Areas: A Michigan Cooperative



-  Cooperative
-  County
-  Michigan Cooperative Example

# Geographic License Areas: A Michigan Cooperative



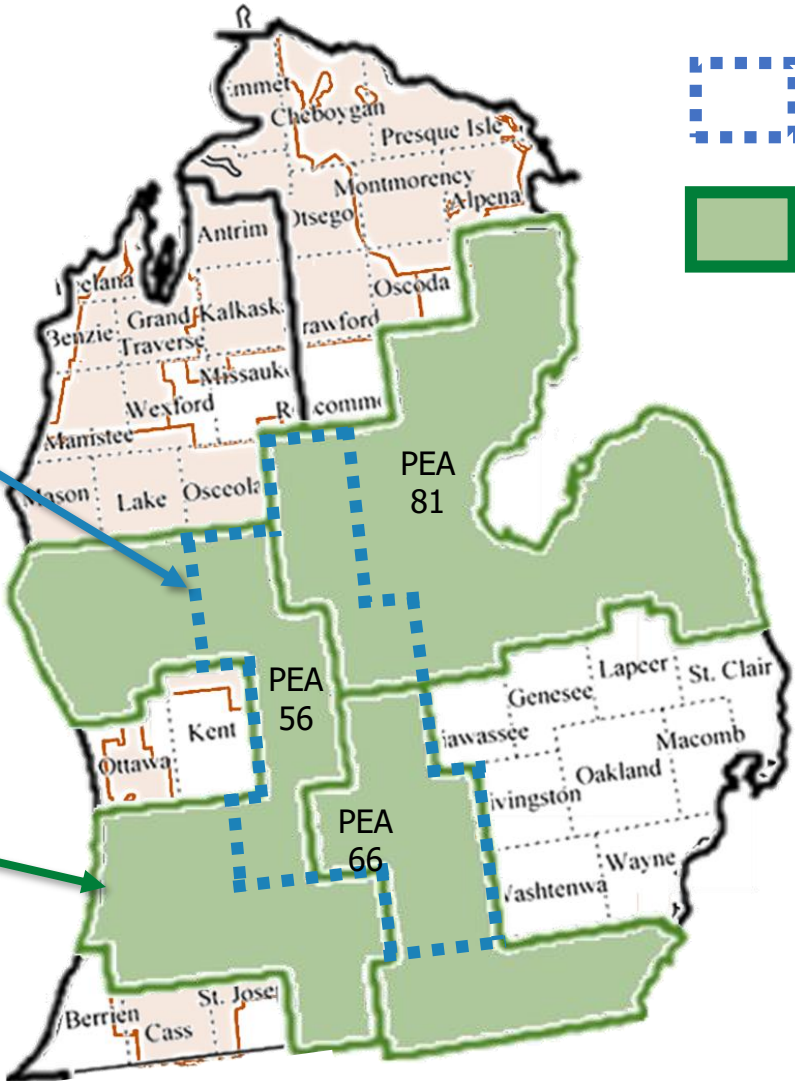
-  Cooperative
-  County
-  Michigan Cooperative Example
-  PEA

# Geographic License Areas: A Michigan Cooperative

Almost a 3x requirement for licensed POPs

| County       | Population       |
|--------------|------------------|
| Clare        | 30,358           |
| Mecosta      | 43,221           |
| Isabella     | 71,282           |
| Montcalm     | 62,974           |
| Gratiot      | 41,202           |
| Ionia        | 64,232           |
| Clinton      | 77,888           |
| Barry        | 59,702           |
| Eaton        | 109,160          |
| Ingham       | 288,051          |
| Jackson      | 158,460          |
| <b>Total</b> | <b>1,006,530</b> |

| PEA          | Population       |
|--------------|------------------|
| 56           | 1,107,740        |
| 66           | 927,045          |
| 81           | 746,432          |
| <b>Total</b> | <b>2,781,217</b> |



Counties to license for coop



PEAs to license for coop



Cooperative



County



PEA

NOTE: For illustration only, the Michigan cooperative has no greater or lesser interest in CBRS than any other cooperative.

\* POPs from senate.michigan.gov



## What do we want? Secondary markets

- We support the notion that PALs can be disaggregated or leased under streamlined and consistent FCC regulations.
- Although NRTC has responsibly dis-aggregated portions of its nationwide 220 MHz spectrum, most of the larger carriers have a poor track record of “sharing” spectrum.
- We therefore do not support the notion that these disaggregation schemes are a reasonable substitute for the smaller PAL license areas that we recommend.

**We support disaggregation, but not as a substitute for smaller PAL boundaries.**



## What do we want? General Availability Access (GAA)

- We do not support the notion of having PALs for the entire 150 MHz of CBRS spectrum.
- We reiterate our recommendation that no change be made to the GAA rules, nor to the allocation of 70-80 MHz to GAA operations.
- We support the FCC's rejection of the T-Mobile request for increases in power generally.

**We strongly recommend that GAA remain in 70-80 MHz of the CBRS spectrum band**