



March 31, 2021

**EX PARTE NOTICE**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

*Re: Ex Parte Presentation in Facilitating Shared Use in the 3100-3550 MHz Band, WT Docket No. 19-348*

Dear Ms. Dortch:

DISH Network Corporation (“DISH”) respectfully submits this *ex parte* to provide additional technical input on its recent ask for a new Public Notice to seek comment on raising maximum authorized power levels in the Citizens Broadband Radio Service (“CBRS”) band.<sup>1</sup> DISH discussed the attached presentation (Attachment 1) during a telephone call on March 29, 2021 with staff in the Wireless Telecommunications Bureau (“WTB”) and Office of Engineering and Technology (“OET”).<sup>2</sup>

With the recent launch of Auction 110 for the 3.45-3.55 GHz band (“3.45 GHz Band”), the Commission should think holistically about mid-band spectrum to maximize the efficient use of these valuable airwaves. The current CBRS rules limit the band’s use for macro-cell 5G deployments, due to Priority Access License (“PAL”) holders having to protect incumbent users and operate at lower transmit power, among other reasons. Unless CBRS power levels are aligned with neighboring bands, PAL holders face a competitive disadvantage. Maintaining the status quo would leave the CBRS band sandwiched between the 3.45 GHz Band and the 3.7 GHz Band, both of which would have services rules optimized for large-scale, wide-channel 5G service offerings.

As DISH explains in this new technical analysis:

- Allowing higher power in the CBRS band (new Category C CBSDs allowed up to 62 dBm/10 MHz and new Category D CBSDs allowed up to 72 dBm /10 MHz) will not harm fair and dynamic usage of the spectrum.
- GAA, Incumbents and Category A/B CBSDs will not be harmed.

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<sup>1</sup> See Letter from Jeffrey H. Blum, DISH, to Marlene H. Dortch, FCC, WT Docket No. 19-348, Mar. 5, 2021 (“DISH Proposal”).

<sup>2</sup> The following FCC personnel participated in the call: Matt Pearl (WTB); Kamran Etemad (WTB); Paul Powell (WTB); Jessica Quinley (WTB); Ira Keltz (OET); and Tom Struble (OET). Present on behalf of DISH were: Stephen Bye, Executive Vice President; Jeff Blum, Executive Vice President; Sourabh Gupta, Director of Network Planning; William Beckwith, Director of Wireless Regulatory Affairs; Hadass Kogan, Director of Regulatory Affairs; and Alison Minea, Director of Regulatory Affairs.

- DISH found minimal impact on SAS and protection of environmental sensing capability (“ESC”) users via simple coordination facilitated by the SAS.
- Higher power CBRS will result in increased end user 5G data rates, providing equitable benefits to the many CBRS auction winners and GAA users.
- DISH also noted potential impacts to carrier aggregation due to current CBSD power limitations.

Please contact me with any questions regarding this submission.

Sincerely,

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Jeffrey H. Blum  
DISH Network Corporation

cc: Kamran Etemad  
Ira Keltz  
Matt Pearl  
Paul Powell  
Jessica Quinley  
Tom Struble

Attachment 1: DISH Wireless, *Higher Power CBSD (PAL and GAA) Discussion*, March 29, 2021