

VIA ECFS
April 22, 2019

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

**EX PARTE FILING OF ENCINA COMMUNICATIONS CORPORATION
RE NOTICE OF PROPOSED RULE MAKING
ET DOCKET 18-295 UNLICENSED USE OF THE 6 GHZ BAND AND
EXPANDING FLEXIBLE USE IN MID-BAND SPECTRUM
GN DOCKET NUMBER 17-183**

Dear Ms. Dortch:

On April 22, 2019, I had a telephone conversation with Aaron Goldberger, of Chairman Pai's office.

DISCUSSION

We discussed that Encina Communications Corporation (ECC) agrees with UTC, EEI, APA, NRECA, API and AWWA¹ et al, that prior coordination be completed before unlicensed devices are deployed. This has the following advantages:

- By prior coordinating a Safe Area within an Exclusion Zone, pursuant to the recommendations and requirements of TSB 10F and Rule 101.103, the interference concerns of Fixed Service (FS) operators are alleviated.
- The requirements of RLAN stakeholders can be satisfied because:
 - Unlicensed devices can be safely deployed in urban, suburban and rural communities, covering more than 95% of the population.
 - Safe Areas are only prior coordinated once, and after doing so, unlicensed devices can be deployed without any regulatory delay and with certainty that spectrum is available.
- Because the Safe Area is prior coordinated, the AFC protocol is simplified and safe -- the AFC only has to authenticate the unlicensed Access Point (AP) and determine that its location (latitude, longitude and height) is within the Safe Area. In cases where the licensee deploys unlicensed Wi-Fi 6 hot spots, small cells, etc., it is even simpler because the licensee knows where to safely locate the unlicensed devices. Therefore, unlicensed devices only need to be authenticated.

¹ Reply comments filing of UTC, EEI, API, APPA, AWWA, ET 18-295, GN 17-18, March 18, 2019

CONCLUSION

With ECC's proposed minor modifications² to NPRM 18-295, existing stations are protected and unlicensed devices can be safely deployed in Safe Areas serving over 95% of the US population.

This makes it possible for the Commission to expeditiously proceed to a First Report and Order – bringing about the benefits of flexible use immediately – while continuing to investigate how to eliminate the risks associated with a just-in-time, fully automatic (no peer review) AFC system.

Respectfully submitted.

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² See Appendix 1 and ECC's reply comments filing ET NPRM 18-295, March 14, 2019