

April 26, 2019

BY ELECTRONIC FILING

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

Re: **NOTICE OF EX PARTE**
GN Docket No. 18-122: *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*

Dear Ms. Dortch:

On April 24, 2019, Courtney Neville and I of Competitive Carriers Association (“CCA”),¹ met with Will Adams, Legal Advisor to Commissioner Brendan Carr; Umair Javed, Legal Advisor, Wireless and International, to Commissioner Jessica Rosenworcel; and Erin McGrath, Legal Advisor, Wireless, Public Safety, and International, to Commissioner Michael O’Rielly, to discuss the above-referenced proceeding. On April 25, 2019, we met with Bill Davenport, Chief of Staff and Senior Legal Advisor for Wireless and International to Commissioner Geoffrey Starks; and Aaron Goldberger, Acting Wireless Advisor to Chairman Ajit Pai, to discuss the same.

During the meetings, CCA reiterated that spectrum in the 3.7-4.2 GHz band (“C-Band”) presents a critical opportunity to repurpose mid-band spectrum for current and next-generation wireless networks. Because of this unique opportunity, the Federal Communications Commission (“FCC” or “Commission”) should focus on clearing the maximum amount of spectrum possible for flexible use.² In CCA’s view, the FCC should, at a minimum, aim to clear at least 300 megahertz of spectrum for terrestrial services, plus a 20-megahertz guard band.³ Any less than 300 megahertz of spectrum would be inadequate to simultaneously provide channel sizes sufficiently large for 5G deployments and generate a sufficient number of licenses in each market to promote competition and investment. To that end, CCA noted its support for using some of the proceeds from repurposing C-Band spectrum to incentivize current end users to pursue alternative distribution methods and to ensure that existing users are fairly reimbursed for repacking or transitioning out of the band.

¹ CCA is the nation’s leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents vendors and suppliers that provide products and services throughout the communications supply chain.

² While the Commission works to clear incumbent users and repurpose the spectrum for terrestrial services, it should acknowledge legitimate concerns raised in the record regarding unique issues in Alaska and other distinct areas. *See, e.g.*, Comments of General Communication Inc., GN Docket No. 18-122 at 21 (filed Oct. 29, 2018); Comments of General Communication Inc., GN Docket No. 17-183 at 2 (filed Oct. 2, 2017).

³ *See, e.g.*, Comments of Competitive Carriers Association, GN Docket No. 18-122 (filed Oct. 29, 2018); Reply Comments of Competitive Carriers Association, GN Docket No. 18-122 (filed Dec. 11, 2018).

CCA also emphasized the importance of providing all interested parties a fair opportunity to acquire C-Band spectrum through a transparent and competitive process. In CCA's view, an FCC-led public auction is the most appropriate mechanism to meet the statutory requirements of the Communications Act, and provide for an equitable process for a variety of entities to acquire mid-band spectrum.⁴ Recent Commission-led auctions have employed transparent and inclusive procedures that resulted in broad participation and generated significant gains for the U.S. Treasury.⁵ CCA reiterated that to permit the C-Band Alliance to employ opaque procedures to "sell" new terrestrial rights that they do not possess would be fundamentally inconsistent with the public interest framework that guides this Commission's auction procedures.⁶

CCA looks forward to continued work with the Commission and industry to ensure that C-Band spectrum is available to all parties so that next-generation services are deployed quickly and competitively.

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's rules. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted,

/s/ Alexi Maltas

Alexi Maltas
SVP & General Counsel
Competitive Carriers Association

cc (via email): Will Adams
Bill Davenport
Aaron Goldberger
Umair Javed
Erin McGrath

⁴ See, e.g., Letter from Steve B. Sharkey, Vice President, Government Affairs, Technology and Engineering Policy, T-Mobile, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Feb. 15, 2019); Letter from Elizabeth Andrion, Senior Vice President – Regulatory Affairs, Charter, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Mar. 7, 2019); Letter from Rural Representatives to Congressional Leaders and FCC Chairman Ajit Pai, GN Docket No. 18-122 (filed Mar. 25, 2019).

⁵ For example, because of policies that the Commission adopted for the recent 600 MHz incentive auction, CCA members represented a substantial majority of winning bidders. The result was the second-largest auction in FCC history with more than \$19.8 billion in gross revenue, and a wide variety of successful bidders. See, FCC Fact Sheet, "Incentive Auction by the Numbers" (rel. Apr. 13, 2017), *available at* <https://www.fcc.gov/document/fcc-announces-results-worlds-first-broadcast-incentive-auction-0>.

⁶ See *supra*, note 3.