

May 29, 2018

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte* Notice: *Promoting Investment in the 3550-3700 MHz Band* –
GN Docket No. 17-258

Dear Ms. Dortch:

On May 24, 2018, Marissa Mitrovich of Frontier Communications; Michael Fitzpatrick of General Electric Company; Michael Purdy of Google LLC; Frank Korinek of Motorola Solutions, Inc.; Danielle Piñeres of NCTA – The Internet & Television Association; Jill Canfield of NTCA – The Rural Broadband Association; David Wright of Ruckus Networks (an ARRIS Company); Erin Fitzgerald on behalf of the Rural Wireless Association, Inc.; and Claude Aiken of the Wireless Internet Service Providers Association met with Commissioner Michael O’Rielly and Erin McGrath, Legal Advisor to Commissioner O’Rielly, regarding the Commission’s pending Notice of Proposed Rulemaking on the licensing of Priority Access Licenses (“PALs”) in the 3.5 GHz Citizens Broadband Radio Service (“CBRS”) band.¹

In this meeting, these company and trade association representatives provided Commissioner O’Rielly and Ms. McGrath with the terms of a proposed compromise framework for PAL licensing that is supported by parties from many categories of stakeholder in this proceeding. This broad-based, cross-industry coalition is the largest yet in this proceeding and includes entities from cable, technology and equipment development, rural broadband, regional and rural mobile wireless carriers, industry and manufacturing, critical infrastructure, and enterprise solutions. In the spirit of compromise, all of these diverse parties are willing to accept some obstacles to their own CBRS opportunities in order to ensure that the largest possible group of stakeholders can derive value from the 3.5 GHz band, which the Commission has indicated is a key goal in this proceeding. A list of these parties – who together constitute a substantial portion of the U.S. economy – is provided in the attachment to this letter.

These parties urge the Commission to adopt a licensing framework for CBRS PALs that includes the following elements:

¹ See *Promoting Investment in the 3550-3700 MHz Band*, Notice of Proposed Rulemaking and Order Terminating Petitions, 32 FCC Rcd 8071 (2017) (“*NPRM*”).

- In every census tract in every U.S. county, there will be two (2) census-tract-based CBRS PALs available at auction.
- In the top 30 U.S. Cellular Market Areas (ranked by population), there will be five (5) county-sized PALs available at auction in every county.
- In U.S. Cellular Market Areas ranked 31-306 (based on population), there will be five (5) Metropolitan Statistical Area (“MSA”)-sized PALs available at auction.
- In U.S. Cellular Market Areas ranked 307-734 (based on population), there will be five (5) county-sized PALs available at auction in every county.
- The license term for all PALs will be seven (7) years, and PALs will be renewable based on performance criteria.

As discussed at the meeting, the mix of large-area and small-area licensing under this compromise framework will accommodate the needs of *all* stakeholders in the 3.5 GHz band. The availability of either five county-based or MSA-based PALs throughout the United States will meet the business and operational requirements of commercial mobile wireless carriers, cable companies, and other broadband providers serving rural areas that desire larger license areas. At the same time, the availability of two census-tract licenses nationwide will satisfy the minimum spectrum requirements of a wide variety of industrial and critical-infrastructure entities, broadband operators serving rural areas, enterprise solution providers, commercial real estate interests, and other entities planning geographically targeted CBRS deployments.

This compromise framework reflects a substantial revision of the Commission’s existing census-tract licensing framework, and its inclusion of MSA-sized licenses incorporates a key part of the plan submitted last month by the Competitive Carriers Association and CTIA.² This balanced proposal will promote a wide range of business models and innovative wireless deployments by spectrum users both large and small, well-established and non-traditional.

If it adopts this compromise framework, the Commission will maximize the enormous social and economic benefits of the CBRS band, catalyze U.S. wireless technology and 5G leadership, and promote the modernization of U.S. infrastructure. Both the makeup of our coalition and the substance of our proposal reflect the diversity of deployment options and network operators that will be required to realize the vision for 5G wireless – ubiquitous wireless services in urban and rural areas, both outdoor and indoor, and involving a breadth of industries (e.g., mobile, cable, industrial, WISPs, and enterprise). The parties listed in the attachment

² Letter to Marlene H. Dortch, FCC Secretary, from Rebecca Murphy Thompson, CCA, and Scott K. Bergmann, CTIA, GN Docket No. 17-258 (Apr. 20, 2018).

collectively urge the Commission to adopt this compromise framework as part of its upcoming order revising its CBRS rules.

Respectfully submitted,

Frontier Communications

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Google LLC

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**NCTA – The Internet & Television
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Ruckus Networks, an ARRIS Company

/s/ David Wright
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General Electric Company

/s/ Michael Fitzpatrick
Michael Fitzpatrick
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Motorola Solutions, Inc.

/s/ Frank Korinek
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NTCA – The Rural Broadband Association

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Rural Wireless Association, Inc.

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**Wireless Internet Service Providers
Association**

/s/ Claude Aiken

Claude Aiken

President/CEO

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**Companies and Associations Supporting
Proposed Compromise Framework for PAL Licensing**

**Charter Communications, Inc.
Cox Communications, Inc.
Edison Electric Institute
Enterprise Wireless Alliance
Exelon Corporation
FedEx Corporate Services, Inc.
Frontier Communications
General Electric Company
Google LLC
Motorola Solutions, Inc.
National Rural Electric Cooperative Association
National Rural Telecommunications Cooperative
NCTA – The Internet & Television Association
NTCA – The Rural Broadband Association
pdvWireless, Inc.
The Port of Los Angeles
Ruckus Networks, an ARRIS Company
Rural Wireless Association
Southern Linc
Transit Wireless
Union Pacific
Utilities Technology Council
Windstream Holdings, Inc.
Wireless Internet Service Providers Association**