

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Report on the Feasibility of Allowing Commercial)	GN Docket No. 18-122
Wireless Services, Licensed or Unlicensed,)	
To Use Or Share Use of the Frequencies)	
Between 3.7-4.2 GHz)	

To: Office of Engineering and Technology
International Bureau
Wireless Telecommunications Bureau

COMMENTS OF IHEARTMEDIA

iHeartMedia Communications, Inc., as debtor in possession (“iHeartMedia”), hereby submits these Comments in response to the Commission’s Public Notice regarding an upcoming Commission report to Congress and the Secretary of Commerce addressing the feasibility of allowing commercial wireless services to use or share use of the 3.7 -4.2 GHz spectrum band (“C-Band”). 1/

iHeartMedia is a leading global media and entertainment company specializing in radio, digital, outdoor, mobile, social, live events and on-demand entertainment. Subsidiaries of iHeartMedia include the licensees of 853 full-service broadcast radio stations, serving 162 markets throughout the United States. Also under the iHeartMedia umbrella is Premiere Networks, which syndicates 90 radio programs and services to more than 5,000 radio affiliations, reaching over 190 million listeners weekly.

iHeartMedia relies heavily on receive-only earth stations operating in the

1/ See Public Notice, DA 18-398 (rel. Apr. 19, 2018).

3.7-4.2 GHz spectrum to receive programming for broadcast to the public by its radio stations, including sports programming and syndicated programming from numerous sources.

Furthermore, iHeartMedia's Premiere Networks' syndicated programs are most typically captured by its 5,000 radio affiliates via their receive-only earth stations operating in the C-Band.

Another use of C-band facilities is exemplified by Premiere Networks partnering with the Federal Emergency Management Agency to transmit the Emergency Alert System ("EAS") nationwide message to Premiere's radio affiliates as a redundant delivery method to ensure full, country-wide participation. iHeartMedia undertook this use of C-band facilities as a way to enhance EAS distribution after some states failed to properly receive nationwide EAS test alerts.

iHeartMedia filed comments in GN Docket No. 17-183, on the Commission's Notice of Inquiry in the Matter of Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz (released August 3, 2017), and hereby incorporates by reference those Comments. ^{2/} In those Comments, iHeartMedia focused on the need to protect incumbent users of the Mid-Band Spectrum, particularly broadcasters using receive-only earth stations, as the Commission evaluates options for the efficient use of the spectrum. iHeartMedia observed that because receive-only earth stations are not licensed, and registration with the Commission is voluntary, ^{3/} Commission records vastly undercount this substantial and ongoing use of the

^{2/} These incorporated Comments were filed by iHeartMedia + Entertainment, Inc. on October 2, 2017, in GN Docket No. 17-183.

^{3/} In order to unburden earth station users of regulatory demands and encourage the productive use of the spectrum, the Commission took a series of steps, starting in 1979, to eliminate the need to license receive-only earth stations and to make registrations non-mandatory. *See, e.g., Regulation of Domestic Receive-Only Satellite Earth Stations*, First Report and Order in Docket 78-374, 74 F.C.C.2d 205, 217 (1979) (removed mandatory licensing for

3.7-4.2 GHz band.

Other commenters in Docket 17-183, such as the Satellite Industry Association (“SIA”) and SES Americom, Inc. (“SES”), have emphasized that the unique characteristics of the C-band spectrum have made satellite services in these frequencies indispensable for users who require extremely high reliability and a nationwide reach. ^{4/} The record of that proceeding also reveals very substantial private investments in C-band technology: SES and others have invested billions of dollars in C-band space station capacity, while earth station users have expended tens of millions of dollars for the associated ground equipment. ^{5/} The substantial use and investments in C-band satellite services, and the programming they deliver – which is relied upon by millions of Americans every day – require that any prospects for sharing the C-Band spectrum be undertaken with utmost care; as noted by SIA, the Commission must develop mechanisms that will ensure that the cumulative emissions from large numbers of terrestrial devices do not create disruptive aggregate interference at the space station antenna, among other

[Footnote continued]

receive-only earth stations operating with domestic satellites); *Regulation of Domestic Receive-Only Satellite Earth Stations*, Second Report and Order in Docket 79-374, 104 F.C.C.2d 348, 354 (1986) (eliminating most receive-only earth station application requirements); *Amendment of Part 25 of the Commission’s Rules and Regulations to Reduce Alien Carrier Interference between Fixed-Satellites at Reduced Orbital Spacings and to Revise Application Processing Procedures for Satellite Communications Services*, First Report and Order, CC Docket No. 86-496, 6 FCC Rcd 2806, 2807 (1991) (adopting streamlined registration process for receive-only earth stations); *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, IB Docket 12-267, 30 FCC Rcd 14713, 14812 (2015) (eliminating the need to license receive-only earth stations communicating with non-U.S. licensed space stations approved for U.S. market access).

^{4/} See, e.g., Comments of the Satellite Industry Association, GN Docket No. 17-183 (Oct. 2, 2017) (“SIA Comments”); Comments of SES Americom, Inc., GN Docket No. 17-183 (Oct. 2, 2017) (“SES Comments”).

^{5/} See SES Comments.

hazards. 6/

The Commission has recently undertaken an effort to encourage the registration of receive-only earth stations by opening a registration window for earth stations operating in the C-Band as of April 19, 2018, which should provide a clearer, albeit imperfect, picture of the intensive incumbent use of this spectrum. 7/ This is an essential first step toward fully informing the record on which the Commission must base any determination for alternative uses of the C-Band.

Given the intensive use of the C-Band by broadcast services and other users of earth stations, the large investments in satellite and terrestrial facilities to ensure reliable service relied upon by millions, and the difficulty of sharing that currently-reliable C-Band spectrum, the Commission must evaluate options for other uses of the C-Band very carefully. Resourceful solutions, such as the market-based plan being jointly proposed by SES and Intelsat 8/ to free up approximately 100 MHz of C-band downlink spectrum in the contiguous United States for

6/ See SIA Comments. Moreover, adding interference to C-Band reception could impede the effectiveness of redundant C-Band distribution of nationwide EAS alerts to Premiere's radio affiliates, as noted above.

7/ See *Public Notice*, DA 18-398 (rel. Apr. 19, 2018). More incumbents are likely to register, and thereby improve the Commission's records as to incumbent usage, if proposals to waive the Form 312 registration fees and/or streamline the registration process during this window are adopted. See, e.g., National Association of Broadcasters, *Ex Parte Notice*, May 22, 2018, GN Docket Nos. 17-183, 18-122. Waiving the need for frequency coordination is helpful, but to the extent that the Commission still requires a filing fee for registration, that continues as an impediment to universal registration by existing earth station users. Moreover, the registration process is not seamless for smaller broadcasters, who may need to hire consulting engineers to assemble the registration form and a legal resource to file the registration. Smaller broadcasters may also be less informed about the need to protect their long existing use from newly minted interference. The Commission must guard against making decisions for this spectrum based upon incomplete data.

8/ See, e.g., SES and Intelsat, *Notice of Ex Parte Presentations*, GN Docket No. 17-183 (Feb. 9, 2018).

licensed terrestrial mobile operations, are worth evaluating. While not all the details of the SES/Intelsat market-based approach have been released, iHeartMedia endorses the goals of SES/Intelsat's efforts to develop a path for the Commission to clear spectrum for mobile broadband use while protecting critical earth station operations. The Commission has taken a market-based approach with its Television Repack reverse auction and could apply its expertise from that context to options for sharing the C-Band.

In sum, iHeartMedia supports the Commission's continued efforts to improve spectrum efficiency and the goal of facilitating deployment of next generation wireless services. In order to successfully achieve these goals, it is imperative – even axiomatic – that the Commission keep front and center the need to prevent disruption to incumbent users of the country's communications infrastructure. No truer is this than the instant case, given the longstanding and broad-based investments in and users of the C-band and the millions who rely on those services.

Respectfully submitted,

**iHeartMedia Communications, Inc.,
as debtor in possession**

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