

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services |) | WT Docket No. 10-112 |
| |) | |
| Imposition of a Freeze on the Filing of Competing Renewal Applications for Certain Wireless Radio Services and the Processing of Already-Filed Competing Renewal Applications |) | |
| |) | |

**COMMENTS OF
CATHOLIC TECHNOLOGY NETWORK AND NATIONAL EBS ASSOCIATION**

The Catholic Technology Network (“CTN”) and the National EBS Association (“NEBSA”) – which are the leading advocates for Educational Broadband Service (“EBS”) licensees in regulatory and policy matters before the FCC – submit these further comments in response to the Wireless Telecommunications Bureau’s May 2, 2017 Public Notice (DA 17-409) seeking to update the record in the above-referenced proceeding, which has been pending for nearly seven years.¹

CTN and NEBSA filed comments in this proceeding in 2010 which addressed the unique nature of EBS.² At the time, EBS was in the midst of a transition from a fixed video-centric

¹ In the Matter of Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services, WT Docket No. 10-112, *Notice of Proposed Rulemaking*, FCC 10-86, (rel. May 25, 2010).

² Comments of Catholic Television Network and National EBS Association, WT Docket No. 10-112, filed August 6, 2010.

band plan and media-oriented rules to a cellularized mobile services band plan and wireless service rules.³ That transition was successfully completed in 2011, and EBS has since played an increasingly important role in the provision of wireless broadband services in the U.S. The new EBS band plan and rules provide educators with access to resources and communications networks to enhance and improve students' educational experience. At the same time, through secondary markets leasing arrangements, wireless operators, including Sprint, have obtained access to spectrum to expand their wireless broadband networks and enhance service to the public.

Licensing and operations in the EBS band under the current rules and policies, including those relating to license renewals, have successfully converted the band into an increasingly important resource in the deployment of wireless broadband spectrum nationwide for the use of both educators and wireless operators, and the students and customers they serve. Since 2011, hundreds of EBS license renewal applications have been filed with the Commission, and the FCC has been able efficiently and effectively to review and act on these renewal applications.⁴ CTN and NEBSA do not perceive any problem with the current EBS license renewal process, and therefore do not see any need to change the existing requirements applicable to EBS.

³ See Amendment of Parts 1, 21, 73, 74, and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket No. 03-66, *Report and Order and Further Notice of Proposed Rulemaking*, 19 FCC Rcd 14165 (2004), in which the Commission modified the old video-oriented band plan and outdated rules for EBS and the commercial Broadband Radio Service so that the 2.5 GHz band could be used flexibly for wireless broadband services, while preserving the capability of educators to continue running video services as needed.

⁴ Question 54 of FCC Form 601 requires EBS licensees to certify that they comply with the educational usage requirements contained in Section 27.1203 of the Commission's rules. Question 55 of FCC Form 601 requires EBS licensees to certify to compliance with the technical and interference protection rules governing BRS and EBS operations as set forth in Sections 27.50, 27.55, and 27.1221 of the Commission's rules.

Should the Commission nevertheless determine that the rules relating EBS license renewals should be revised, CTN and NEBSA ask that the Commission consider the comments made by CTN and NEBSA in 2010, which urged that the criteria for EBS renewal showings relate directly to the substantive service requirements applicable to EBS, which are the criteria for making an EBS substantial service showing pursuant to Section 27.14(o). In addition, any material changes to the Commission's renewal requirements should be applied on prospective basis only. For example, if new EBS renewal requirements are adopted effective January 1, 2018, those new requirements (and any additional new information that must be submitted in accordance with such new requirements) should only pertain to a licensee's operations from and after the effective date of those new rules.

Respectfully submitted,

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