

June 5, 2019

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

**Jeffrey E. Rummel**

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Re: Written Ex Parte Communication, WT Docket 19-39

Dear Ms. Dortch:

Dynetics, Inc. (“Dynetics”) greatly appreciates the Commission’s placing this proceeding on Public Notice for expedited resolution. As the Commission is aware, the “Request For Limited Waiver” and the “Request For Modification Of Freeze” (collectively, the “Requests”) seek to reverse the severe unintended impacts of the Freeze on the long-term deployment of technologically-superior Part 90 Radiolocation Service solutions by critical infrastructure operators. Expedited action will help mitigate these unintended consequences.

In these filings, Dynetics demonstrated that, *inter alia*, grant of the Requests would not undermine the purpose underlying the Freeze. In that regard, Dynetics stated that there is no indication at all that NTIA has identified frequencies for alternative use beyond the limited 3450-3550 MHz frequency range ever since NTIA identified this range in February 2018, and similarly there is no indication at all that NTIA is even actively considering the 3100-3450 MHz range for alternative use at this point for inclusion in the report due in March 2020.<sup>1</sup>

The Commission can grant the requested relief to Dynetics without addressing the status of NTIA’s review. However, given the urgency of the issues involved, and in the interest of developing a full record, Dynetics believes that direct communication between the Commission and NTIA on this issue would be beneficial to the disposition of these Requests.

Accordingly, Dynetics encourages the Commission to seek clarification directly from the NTIA staff as to whether NTIA has identified frequencies for alternative use beyond the 3450-3550 MHz frequency range, and whether – at this stage of the process - NTIA is in fact actively considering the 3100-3450 MHz range for alternative use for its report due in March 2020.

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<sup>1</sup> See Request For Limited Waiver at p.17; Request For Modification Of Freeze at p. 11.

Dynetics also encourages the Commission to work with NTIA to confirm both entities are aligned in targeted frequency bands, priorities, and current actions and ensure the needs of all spectrum users are considered.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jeff Rummel / SRT". The signature is written in a cursive, flowing style.

Jeff Rummel  
Attorney for Dynetics, Inc.