

June 17, 2019

Chairman Ajit Pai
Commissioner Michael O'Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Commissioner Geoffrey Starks
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: **Updating the Commission's Rule for Over-the-Air Reception Devices**
WT Docket No. 19-71; FCC 19-36
Reply Comments

Honorable Chairman Pai and Commissioners O'Rielly, Carr, Rosenworcel and Starks:

Common Networks, Inc. (Common) submits these Reply Comments in support of the Notice of Proposed Rulemaking (NPRM) to extend over-the-air reception device ("OTARD") protection to fixed wireless hub and relay antennas. Common is a venture-backed technology company and a wireless internet service provider (WISP) that currently provides service to suburban residents of the San Francisco Bay Area and is actively expanding service to new metropolitan areas. Common supports the comments submitted by WISPA and Starry, Inc., and reiterates that extending the OTARD rule will reduce industry ambiguity, remove wireless infrastructure deployment barriers and provide increased consumer choice and new broadband offerings for underserved communities.

Common applauds the Commissions' willingness to re-examine legacy regulations in an effort to modernize its policies to account for new technologies and changing consumer behavior. The growth of connected devices, internet streaming sites, and more remote workforces reliant upon video conferencing are just a few factors that are dramatically increasing the broadband needs of residential consumers. Wireless infrastructure has also evolved to meet the increasing broadband needs of suburban communities through high-band spectrum (like mmWave) and more dense network topologies that can deliver higher bandwidth speeds to customers. Additionally, antenna technology has rapidly advanced so that many of the antennas deployed today can function as receivers, relays and/or hubs and may be indistinguishable in form factor and function at any moment. It is with this in mind that modernization of the OTARD rule to extend to hub and relay sites is fundamentally a public benefit as it will improve the time and cost for wireless network deployments and allow for consumers to get increased bandwidth.

The most immediate impact of expanding OTARD protection for fixed wireless providers will be to remove the ambiguity around modern wireless networks, decreasing market entry barriers and reducing time to gain access to residences to serve new customers. Today, as we have experienced, deploying antennas in a new jurisdiction can be a confusing and lengthy process. As the technology has changed rapidly, local governments are often looking for guidance in how they process applications for internet-only fixed wireless sites. There are often substantial delays, uncertainties and variances in permitting from site-to-site based on city boundaries (or different interpretations by city staff). The permitting ambiguity of these sites, especially as our network grows to new municipal areas, often creates installation delays which can affect the serviceability for thousands of customers in a community. Furthermore, as new competitive providers look to expand into new markets, different interpretations and applications of these rules for hub and relay sites often become a deterrent to entering a new jurisdiction. Therefore, consumers have less competition and fewer choices.

The proposed expansion of the OTARD rule will enable Common to deploy more quickly on residential rooftops and further serve people in suburban neighborhoods and communities that have fiber capacity running past them (vs. through them), providing higher bandwidth speeds to customers. To accelerate deployments, Common often utilizes tall commercial or private buildings on the outskirts of residential communities to host hubs and/or relays, then transmits data into the nearby residential areas. By expanding OTARD protection to cover hub and relay antennas, this would alleviate any vagueness in placing these antennas on the commercial sites surrounding residential communities, as well as placing antennas with mixed or variable transmission usage within these communities. This will allow us to more quickly bring competitive high-speed services into dense suburban neighborhoods (and across jurisdictional lines) and remove permitting or zoning obstacles that restrict or delay our deployments. Although the proposed rule change will help Common deploy broadband in a more expedient and efficient manner, the ultimate beneficiaries will be our customers.

While we respect the concerns of real estate interests that were raised in the initial comments, we believe that extending OTARD protection to apply to all fixed wireless antennas (within existing size restrictions), is a sensible and minimal modernization of the OTARD rule that will remove ambiguity and greatly improve the time and cost to deploy next generation wireless network infrastructure, while still respecting private property rights. Overall, Common believes that extending the OTARD rule will create a more competitive balance, limit deployment delay and restrictions and reduce current OTARD ambiguity that will foster healthy industry competition and better consumer choice.

Sincerely,



Zach Brock

CEO, Common Networks