

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

In the matter of:

Expanding Flexible Use of the)	
3.7 to 4.2 GHz Band)	GN Docket No. 18-122
)	

**COMMENTS OF THE
ASSOCIATION OF FEDERAL COMMUNICATIONS
CONSULTING ENGINEERS**

The Association of Federal Communications Consulting Engineers (“AFCCE”), celebrating 70 years in existence, is an organization that includes Registered Professional Engineers engaged in the practice of consulting engineering before the Federal Communications Commission (“FCC”) and members in allied fields of endeavor.

The AFCCE membership includes many engineers and firms having an extensive history of innovation and development in broadcasting, wireless, and satellite communications. Since 1948, AFCCE members have represented myriad licensees and applicants seeking to implement new and novel technologies before the FCC. This representation has included performing allocation and interference studies, design of antennas and facilities, preparation of construction permit and license applications, and testimony in hearings and other proceedings before the FCC.

The AFCCE herein offers its views in response to the FCC’s Public Notice dated April 19, 2018, announcing a temporary freeze on the filing of new or modified applications for receive-only earth station registrations, with a limited exception for existing earth station operators to register during a 90-day window that closes on July 18, 2018. As set forth below, AFCCE urges the FCC to extend this window for six additional months.

Unregistered Earth Stations Represent the Majority of C-Band Facilities

In its Notice of Inquiry¹ the FCC stated that there were approximately 4,700 registered C-band receive-only earth stations were in use throughout the United States. AFCCE believes that the number of C-band receive-only earth stations is much greater. The Society of Broadcast Engineers has estimated that the number of C-band downlinks serving U.S. communities could total between 25,000 and 30,000. This estimate is more than six times the number published by the FCC. AFCCE is not aware of any definitive count of receive-only earth stations, but all parties in this docket acknowledge that the actual figure is greater than the FCC's count.

As of this date, more than 1000 applications have been filed in the filing window. AFCCE's cursory review of these applications suggests that most are from fairly large companies who actively monitor FCC proceedings and the trade press. It seems likely that there are many small companies and individuals with unregistered earth stations that are unaware of the possibility that their access to C-band satellites may be lost. Further, the information required is very detailed and often not readily available. Many of these installations have existed for decades, across multiple owners, and the current user may not even know the manufacturer of their receive dish, much less its size or gain figure. Even larger operations are burdened by the short time frame since they may have dozens to hundreds of sites to register and often just one or a few individuals with the background to prepare these filings. Gathering the information on numerous dissimilar sites may be very difficult.

AFCCE members have already alerted, or are in the process of alerting, their clients and offering to provide them with historical information about these installations. Various trade associations have alerted their members and the trade press, but it is apparent that the word is still not reaching the end users. AFCCE urges the FCC to work with C-band operators to directly contact their end users to alert them of the need to register their antennas.

The \$435 Filing Fee Presents a Substantial Burden to Small Businesses

The \$435 filing fee is a substantial burden for many small-market radio stations and small businesses, and NAB and others have asked the FCC to consider waiving that fee during the filing window.² The filing fee was calculated³ by the FCC on the basis of receiving just 69 applications to register receive-only earth stations annually. It has already received 15 times that amount in the last 60 days alone and could potentially receive 200 times that amount, or more, if all eligible users

¹ GN Docket No. 17-183, "Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz," FCC 17-104, released August 3, 2017, para. 14

² National Association of Broadcasters Notices of *Ex Parte* Communication, May 22 and June 6, 2018.

³ Supporting statement of FCC, OMB Control No. 3060-0678, March 2018.

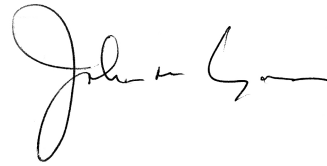
registered. So, the basis for determining the fee seems erroneous. The inability of C-band users to obtain interference protection or payment to restore lost service will have a devastating effect on small businesses. The FCC has not yet acted on that request, but AFCCE urges the FCC to waive the application fee during the filing window to avoid harming small businesses.

AFCCE Urges Extending the Filing Window an Additional Six Months

For the foregoing reasons, AFCCE urges the FCC to extend its filing window for six months to give end users a greater opportunity to understand the need to register, and to give the FCC additional time to consider waiving its filing fee.

June 20, 2018

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Lyons". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Lyons".

The Association of Federal
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John Lyons
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