

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

In re the Matter of)	
)	
Federal Government Relocation)	
From AWS-3 Bands and)	WT Docket 18-104
Associated Extensions of)	
Initial License Terms)	
And Buildout Deadlines)	

To: The Wireless Telecommunications Bureau

REPLY COMMENTS OF ADVANTAGE SPECTRUM, L.P.

Advantage Spectrum, L.P. (“Advantage”) hereby provides its Reply Comments in response to the Public Notice issued by the Wireless Telecommunications Bureau (“Bureau”) in the referenced matter.¹ For the reasons set forth below, Advantage urges the Commission to extend for a period of three years both the term of AWS-3 licenses and the time frame in which AWS-3 licenses must comply with certain specified build out and operational obligations.

DISCUSSION

A. Bureau Pronouncements in the PN

By its Public Notice, the Bureau reminded the public that there are Federal operations in the 1695-1710 MHz and 17550-1780 MHz bands; that certain of those operations will be relocating over time, but some may continue operating in these bands indefinitely; that AWS-3 licensees must coordinate with Federal incumbents prior to operating; and that AWS-3 licensees are prohibited from interfering with Federal Operations.²

¹ See Public Notice entitled “Wireless Telecommunications Bureau seeks comments on status of Federal Government Relocation from AWS-3 Bands, DA 18-346, rel. April 6, 2018. (The “Public Notice”). By the terms of the Public Notice, Reply Comments are due July 5, 2018.

² Public Notice, at 1.

The Bureau also noted that, when the Commission adopted its AWS-3 rules, it directed the Bureau to solicit comment, in the third year following initial licensing of AWS-3 spectrum, for the purpose of recommending whether the Commission should extend the initial AWS-3 license term and associated buildout deadlines.

B. Views of the Commenting Parties

Advantage's review of the public record showed that a total of six parties submitted comments in this proceeding. All supported extensions in one way or another, with five supporting multi year extensions, for all licensees, for both the license term and the build out deadline.³

Virtually all of the commenting parties presented good reason for their views. CTIA explained simply that "the Federal Relocation Process remains ongoing". (CTIA, at 2). Chester observed that an extension is appropriate due to the continuing "existence of government incumbents in the band ..." (Chester, at 2). Bidco argued that an extension is needed "to provide sufficient time for government relocation to be completed ..." (Bidco, at 1). Blue Ridge focused on the "considerable delays in coordinating the relocation of federal users". (Blue Ridge, at 1). And Club 42 cited relocation delays by the DoD and the Department of Commerce (Club 43 at 2). Advantage submits that each of these real life reports supports extensions of both build out dates and license terms.

C. Advantage's Experience and Urgings

Advantage has held its AWS-3 spectrum since having its licenses granted shortly after the Auction No. 97. During the time it has held its licenses, Advantage has undertaken

³ See Comments of CTIA (at 2); Chester Telephone Company ("Chester") (at 1); 2014 AWS Bidco Corporation ("Bidco") (at 1); Blue Ridge Wireless II, LLC ("Blue Ridge") (at 1 and 4 – favoring a two year extension over a three year extension, but being accepting of either); Club 42 Limited Partnership ("Club 42") (at 2); and T-Mobile, USA (at 1 and 8 – urging that extensions be granted on a market-by-market basis, as transitional regulatory considerations warrant.

considerable analysis of Federal licenses relocation efforts; has had an opportunity to assess how the infant industry has developed; and has reviewed the comments submitted in this proceeding. Based upon that assessment, Advantage urges the Commission to extend both the buildout and license termination dates as set forth when the licenses were issued.

Among other things, in communications with various government officials, with agencies that hold to-be relocated spectrum, Advantage's General Partner has come to understand that in several instances the government will need additional time to transition use of spectrum in markets where Advantage is licensed. When asked by the Federal government to consent to such extensions – which Advantage has found to be based on appropriate needs, and which Advantage has found to be reasonable in requested duration – Advantage has consented to such requests. Given such consents, and the underlying basis for the requests, Advantage believes that an extension of both buildout deadlines and license terms for a three year period would serve the public interest.

CONCLUSION

For all of the above reasons, Advantage urges the Commission to extend buildout deadlines and license terms as set forth in the Public Notice.

Respectfully submitted,

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