

July 3, 2019

Ex Parte

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *Transforming the 2.5 GHz Band*, WT Docket No. 18-120

Dear Ms. Dortch:

I write respectfully to oppose the Commission's draft Report and Order ("Draft Order") in the above matter.¹ The Draft Order, if adopted, will expand—not bridge—the digital divide, with serious consequences for countless rural communities, like mine in Otter Tail County, Minnesota.

Remote areas like Otter Tail County have been largely left behind by national wireless carriers and broadband providers. As broadband Internet access becomes more and more necessary for kids to complete homework assignments or access educational resources—not to mention for families to access banking and other basic services in the modern world—23% of families with a child enrolled in my granddaughter's school district lack any broadband access. That's unacceptable and unfair. Our children deserve the same opportunities to receive an education and improve their lives as residents in more urban and suburban areas.

Schools and community members have the knowledge and the drive to help solve these local broadband access issues. In Otter Tail County, for example, I founded a wireless Internet service provider ("WISP") called A Better Wireless to help my neighbors get affordable broadband Internet access. We have plans to upgrade broadband Internet capacity for our local schools, equip school buses with free Internet access, and offer steeply discounted Internet access to the homes of students on free and reduced-cost lunch plans. We believe that we can make a big difference for our community—and that others passionate about their communities can do the same. In fact, A Better Wireless has already identified WISPs in 21 other states ready to implement the A Better Wireless business model to connect their communities, and we are confident we can find additional operators in the remaining states.

But we can't get this done without access to spectrum, and the Educational Broadband Service ("EBS") spectrum in the 2.5 GHz band is our best chance. Partnering with schools that receive EBS licenses is the only realistic way for communities like ours to get access to the

¹ *Transforming the 2.5 GHz Band*, Report and Order, FCC-CIRC1907-XX, WT Docket No. 18-120 (rel. June 19, 2019).

spectrum we need to deliver for our kids. In the Draft Order, the Commission seems to unfairly suggest that EBS spectrum isn't being efficiently used. But our communities haven't had a chance to put the spectrum to work because the Commission has frozen the application process for years.

The Draft Order, simply put, would kill rural projects like ours by auctioning off EBS spectrum to the highest bidder and ending any chance for local educational entities to acquire licenses. Our local schools and small businesses have no chance in auctions against big national companies, even though we're the ones that care the most about putting the spectrum to good use and closing the digital divide.

The Commission seems to be under the impression that the big wireless carriers will do a better job delivering broadband to areas like ours. The Commission's own data, and our own experiences in rural Minnesota, prove that's not true. Those companies have largely ignored communities like mine when deploying 4G LTE, because it's just not as easy to turn a big profit here as in some other places. We don't expect this to be different with 5G. It's not like this will be the first time national wireless carriers have obtained low-band or mid-band spectrum—they've made grand promises before and repeatedly failed to deliver. The result is more lost time for our families and kids as broadband Internet becomes ever more central to daily life.

It doesn't have to be this way. Instead of shutting schools and local stakeholders out, the Commission could improve the EBS spectrum licensing system for both educational and commercial uses. Educators finally given a chance to submit new applications for EBS licenses could get access to badly needed spectrum and connect schools, libraries, and other community anchors. And those licensees could be empowered to make decisions in the best interests of their communities, rather than selling the spectrum to the highest bidder and hoping for the best.

The greatest irony in the Draft Order is that it will ultimately *slow* broadband deployment in the neediest areas. Designing, implementing, and running an auction will take time, and once that's done, the winning bidders will actually have to deploy the facilities to put the spectrum to work. And that assumes that rural spectrum actually *sells* in that auction and gets deployed. If it doesn't—which history teaches us is likely in many of the most rural parts of the country—then the Commission will have disrupted rural projects like ours and cut off educators from the spectrum they could have used to help connect their communities, only for the spectrum to lie fallow years down the road. Those are years communities like ours can't spare. EBS spectrum licensed to schools would get the communities in the most need online faster. They will focus resources where they'll have the greatest impact in connecting rural areas and closing the digital divide, not just where the national companies can get the highest ROI. And, of course, nothing is stopping the Commission from auctioning the spectrum after a reasonable amount of time for educational users to apply for new licenses.

I truly believe that the Commission still cares about rural communities like mine that have been too easily forgotten in the transition to a new broadband world. Accordingly, I respectfully urge the Commission to take a closer look at these issues before taking actions that would lock in, rather than alleviate, our lack of access. The challenges we face are complex, and

the Draft Order would remove one of the best tools at our disposal for solving them. Thank you for your time and consideration.

Sincerely,

/s/ Mitch Koep

Mitch Koep
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