



July 5, 2018

VIA ELECTRONIC FILING

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

Re: Ex Parte Letter, *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz; Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band*, GN Docket Nos. 17-183; 18-122; *Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 to Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Service*, WT Docket No. 10-112

Dear Ms. Dortch:

On July 2 and 3, 2018, Scott Bergmann of CTIA spoke by phone separately with Rachael Bender, Wireless and International Advisor to Chairman Ajit Pai; Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly; and Will Adams, Legal Advisor to Commissioner Brendan Carr, to discuss the above-captioned proceedings.

During the calls, CTIA commended the Commission for releasing the draft Notice of Proposed Rulemaking and Order for the 3.7-4.2 GHz band. The Draft Item is an important step towards addressing the critical need for mid-band spectrum to support 5G and other advanced spectrum-based services.¹ The record is clear that mid-band spectrum is a key component in

¹ *Expanding Flexible Use of the 3.7 to 4.2 GHz Band, et al.*, Draft Notice of Proposed Rulemaking and Order, GN Docket Nos. 18-122 and 17-183, RM-11791, RM-11778, FCC CIRC1807-01 (rel. June 21, 2018), <https://docs.fcc.gov/public/attachments/DOC-351868A1.pdf> (Draft Order and Draft NPRM collectively referred to as the “Draft Item”).



the race to 5G.² As other nations make spectrum available in the 3.4-3.8 GHz range,³ the United States cannot afford to fall behind.⁴ We therefore support Commission action to launch the 3.7-4.2 GHz rulemaking at the July Open Meeting.

CTIA also highlighted its support for the Draft Order's requirement that earth stations and satellite operators in the 3.7-4.2 GHz band submit additional information and thus allow the Commission to gain "a clear understanding of the operations of current users in the band."⁵ CTIA urges Commission staff, following adoption of the Draft Order, to promptly open the filing window for incumbents to submit the required information and issue appropriate guidance.⁶ As the Draft Order recognizes, this data will be relevant to assessing changes to the band, including possible interference avoidance coordination or relocation of facilities. Given that, CTIA cautions that any requests to treat this information confidentially must be appropriately substantiated.⁷

CTIA is eager to work with the Commission and all stakeholders to determine how the 3.7-4.2 GHz band can best be repurposed for flexible use while taking into account the nature and extent of existing uses. CTIA looks forward to the July Open Meeting as the next step in this important process.

Finally, during the calls, CTIA also applauded the Commission for taking yet another step in its Part 22 Cellular Licensing proceeding to eliminate unnecessary and asymmetric rules

² See, e.g., Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, Secretary, FCC, GN Docket Nos. 17-258, 17-183, 18-122 (filed May 30, 2018).

³ Draft Item ¶ 6.

⁴ See David Abecassis, Chris Nickerson, and Janette Stewart, *Global Race to 5G – Spectrum and Infrastructure Plans and Priorities*, ANALYSYS MASON, at 35 (Apr. 2018), https://api.ctia.org/wpcontent/uploads/2018/04/Analysys-Mason-Global-Race-To-5G_2018.pdf.

⁵ Draft Item ¶ 16.

⁶ *Id.* ¶¶ 20, 21, n.54.

⁷ *Id.* ¶ 17.



for licensees.⁸ Cutting back on burdensome paperwork requirements and harmonizing the cellular rules with the rules that apply to other wireless services will create efficiencies and ensure similarly situated and competing licensees are operating under a consistent set of requirements.

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Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann

Senior Vice President, Regulatory Affairs

cc: Will Adams
Rachael Bender
Erin McGrath

⁸ *Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 to Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Service, WT Docket No. 10-112, et al.*, Draft Third Report and Order, WT Docket No. 10-112, FCC CIRC1807-02 (rel. June 21, 2018), <https://docs.fcc.gov/public/attachments/DOC-351863A1.pdf>.