

July 8, 2016

EX PARTE NOTICE VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: RM-11681 - Notice of Ex Parte Presentation

Dear Secretary Dortch,

On July 6, 2016, Ari Q. Fitzgerald and Tom Peters of Hogan Lovells US LLP, counsel to SNR Wireless (“SNR”), met with Charles Mathias of the Wireless Telecommunications Bureau, Ron Repasi and Paul Murray of the Office of Engineering and Technology, Bob Nelson of the International Bureau, and Jennifer Tatel of the Office of General Counsel. During the meeting, the parties discussed the concerns SNR has raised in response to the Ligado Networks LLC request to allocate the 1675-1680 MHz band for terrestrial mobile use (the “Ligado Proposal”).¹ Specifically, the SNR representatives outlined three primary issues raised by the Ligado Proposal for AWS-3 licensees in the 1695-1710 MHz band.

First, the Commerce Spectrum Management Advisory Committee (“CSMAC”) has not considered the Ligado Proposal. AWS-3 licensees share spectrum with the National Oceanic and Atmospheric Administration, Department of Defense, and Department of Interior (the “Federal Users”). Because of the national security importance of the data received from the Federal Users’ satellites, the receive facilities of the Federal Users must be protected from interference. Prior to Auction 97,² CSMAC Working Group 1 analyzed coexistence and developed standards that address the potential impact of AWS-3 operations on the Federal Users.³ The Ligado Proposal ignores these standards.⁴ Any deployment by a 1675-1680 MHz licensee within the protection zones established for the benefit

¹ Comments of SNR Wireless, RM-11681 (filed June 21, 2016) (“SNR Comments”); *Ex Parte* Letter from Ari Q. Fitzgerald, Counsel for SNR Wireless to Marlene H. Dortch, Secretary, FCC, RM-11681, IB Docket No. 12-340 (filed Mar. 22, 2016) (“SNR Letter”).

² SNR acquired 244 licenses in Auction 97, 150 of which authorize SNR to conduct mobile uplink operations in the 1695-1710 MHz band.

³ SNR Comments at 6.

⁴ *Id.*

of Federal Users would consume a portion of the interference budget allocated to AWS-3 operations, reducing the budget available for AWS-3 licensees.⁵

Second, the SNR representatives discussed the unanticipated costs to AWS-3 licensees if the Ligado Proposal were adopted. The base station transmissions proposed by Ligado would cause interference to AWS-3 base station receivers in many deployment scenarios, raising siting issues and imposing possibly debilitating constraints on AWS-3 deployments. Mitigation of this interference could require vertical separation or filters, increasing the deployment costs of AWS-3 licensees and reducing network performance.⁶ At the meeting, the SNR representatives reiterated SNR's request that, if the FCC adopts the Ligado Proposal, it require the 1675-1680 MHz licensees to absorb the direct and indirect costs that their use of the spectrum will impose on AWS-3 licensees.

Third, the SNR representatives explained that any sharing of the interference budget established exclusively for AWS-3 licensee use would frustrate the investment-backed expectations of those licensees, because such sharing, and its possible implications for interference, were not considered prior to Auction 97.⁷

SNR has requested that, if the FCC adopts the Ligado Proposal, it require 1675-1680 MHz licensees to complete the same coordination processes imposed on AWS-3 licensees and be subject to the same monitoring requirements.⁸ This would be a three-step process: first, the 1675-1680 MHz licensees would engage with the Federal Users to secure approval to increase the applicable interference budget; second, the licensees would go through the CSMAC process to determine protection criteria and coordination zones; and third, the 1675-1680 MHz licensees would be subject to the same RF monitoring required for AWS-3 licensees.

Regarding RF monitoring specifically, the current funding for RF monitoring covers the monitoring of AWS-3 mobile transmissions only. It is not designed to identify signals from the 1675-1680 MHz base stations, nor is it designed to distinguish between AWS-3 and 1675-1680 MHz signals so that any split in the allocated interference budget can be properly monitored and enforced. In addition to the steps listed above, 1675-1680 MHz licensees should be required to fund any additional work required to modify the RF monitoring system to accommodate base station operations in 1675-1680 MHz such that the critical operations of the Federal Users are protected.

⁵ *Id.* at 9.

⁶ *Id.* at 11.

⁷ *Id.* at 9.

⁸ *Id.* at 14-15.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed in the above-referenced docket. Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/ Ari Q. Fitzgerald

Ari Q. Fitzgerald

Partner
Hogan Lovells US LLP
Counsel to SNR Wireless
ari.fitzgerald@hoganlovells.com
D 202-637-5423

cc: Charles Mathias
Ron Repasi
Bob Nelson
Paul Murray
Jennifer Tatel