

23 July, 2018

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

Re: Ex Parte Notification, GN Docket 17-258 (Promoting Investment in the 3550-3700 MHz Band)

Filed via ECFS

Ms. Dortch:

I am the owner and operator of LARIAT, the world's first WISP (fixed, terrestrial wireless ISP). For more than 25 years, it has been LARIAT's mission – and mine – to bring high speed broadband, via advanced wireless technology, to unserved areas, underserved areas, and areas lacking broadband competition in southeast Wyoming. However, the success of that mission is now threatened by a shortage of available radio spectrum.

Shannon's Law – also known as the Shannon/Hartley Channel Capacity Theorem – is a law of information theory which dictates that the amount of available spectrum, and the absence of interference within that spectrum, determine the amount of data which one is able to transmit and receive via wireless. Increasing demand for bandwidth requires that WISPs like my own obtain exclusively licensed, quiet spectrum to provide the access that users need. I and my company were therefore very hopeful and excited to hear about the advent of CBRS, the Citizens' Broadband Radio Service, which purported to make more spectrum available, in small chunks on which we could bid, for that purpose.

Unfortunately, it appears that the Commission – like Lucy in the classic Peanuts comic strip – may be preparing to pull away the football before we get an opportunity to score a goal for rural broadband users. Increasing the size of the areas in which PALs – priority access licenses – are auctioned, as proposed by the oligarchy of cellular carriers, would utterly prevent my small WISP from bidding on nearby areas that need our service and which could not be adequately served by mobile Internet. An increase in the license areas from census tracts to counties, for example, would prevent us from expanding service across a county line near our city, because we would be required to bid on that entire county – including a large city 45 miles away – from which service could not easily be extended to the same area.

Section 706 of the Telecommunications Act requires the FCC to act so as to ensure that advanced telecommunications services are deployed in a timely manner. To revise the CBRS rules so as to prevent us from deploying to areas where our service is needed would violate that section of the statute for the benefit of large carriers which already have vast hoards of unused and underused spectrum.

A letter filed today in this docket by members of the Wireless ISP Association (WISPA), of which LARIAT is not a member, stated that the signers “reluctantly acknowledge that the rules are likely

to be changed, that we will no longer have access to seven census tract PALs.” My company – which has succeeded in providing broadband to the unserved and underserved only by standing up to corporations which have attempted to destroy it via anticompetitive tactics – does not approve of this capitulation to undue influence. I am therefore writing independently to request, respectfully, that the Commission decline to license CBRS PALs in areas larger than census tracts in any location, rural or urban. The Commission should instead stick to its original plan, and make this spectrum available in a way that allows entities of all sizes – not just a favored group of large corporations – to bid.

Sincerely,

/s/

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