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July 28, 2017

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

Re: **JAB Wireless, Inc. dba Rise Broadband
Baicells Technologies
GN Docket No. 12-354; RM-11788 and RM-11789
Notice of Oral Ex Parte Presentations**

Dear Ms. Dortch:

On July 26, 2017, Jeff Kohler, co-founder and Chief Development Officer of JAB Wireless, Inc. dba Rise Broadband (“Rise Broadband”), Rick Harnish, Director of WISP Relations for Baicells Technologies (“Baicells”), and undersigned counsel to both Rise Broadband and Baicells, met with Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly. The purpose of the meeting was to discuss proposed changes to the Citizens Broadband Radio Service (“CBRS”) rules.

We pointed out that the Comments filed in the record demonstrate interest from a diversity of use cases in preserving the existing Priority Access License (“PAL”) rules. We noted that support for the PAL rule changes proposed by CTIA and T-Mobile is largely limited to other mobile wireless carriers and their suppliers.

Mr. Kohler indicated that Rise Broadband is the largest fixed wireless Internet service provider (“WISP”) in the United States, operating from approximately 3,300 towers to serve more than 180,000 customers in 16 states. He stated that his company had invested millions of dollars in deploying LTE-based equipment in the 3650-3700 MHz band in reliance on the CBRS rules adopted in 2015, with much of that investment used to support its \$16.9 million in Rural Broadband Experiment funding for 10 projects in five states. Mr. Kohler stated that the CBRS band could support multiple use cases, including small cells in urban areas and fixed broadband in rural areas, so long as smaller, rural-based WISPs had a fair opportunity to bid for small, targeted PAL areas. He explained that the ability of WISPs to compete for PALs at auction will



bring investment to the fixed wireless broadband industry, and that the rule changes proposed by CTIA and T-Mobile would have the opposite effect – extending PALs to 10-years with a renewal expectancy and licensing on a Partial Economic Area (“PEA”) basis would make it impossible for Rise Broadband and other small providers to compete in an auction. Mr. Kohler suggested that Rise Broadband would be agreeable to a five-year PAL term with one five-year renewal term secured through a renewal premium payment.

Mr. Harnish explained that Baicells also relied on the CBRS rules adopted in 2015 as a key driver of its decision to enter the United States market. He called the band the most exciting and efficient spectrum management platform ever created. As a manufacturer of fixed broadband equipment and a leader in the production of small cell equipment, Baicells sees many public and private use cases deployed in the band. Mr. Harnish stated that Baicells’ customers, in one short year, have deployed more than 1,500 “CBRS-ready” access points in 3650-3700 MHz that can, though a firmware upgrade, operate in the 3550-3650 MHz band without the need for new hardware or truck rolls. He explained that WISPs have never had the opportunity to use protected standard-based spectrum, and that interest in obtaining PALs is very strong within the WISP industry, electric cooperatives and municipalities. Mr. Harnish further noted the competitive market for equipment in the 3650-3700 MHz band is fueling significant broadband deployment and operators have plans to rapidly expand into the 3550-3650 MHz band as soon as it is available for commercial operations. Finally, Mr. Harnish noted that the rule changes proposed by CTIA and T-Mobile would create a very limited set of potential bidders. He also said that many potential bidders would be eliminated from the PAL auction due to changes in the license size beyond the census tract model. Innovative companies like Baicells could potentially lose millions of dollars in investment made into its mid-band LTE-based broadband equipment in the US market.

The parties asked that the Commission conduct an expeditious proceeding to limit the uncertainty resulting from consideration of the petitions and the record.

This letter is being filed electronically via the Electronic Comment Filing System in the above-captioned proceedings.

Respectfully submitted,

/s/ Stephen E. Coran

Stephen E. Coran

cc: Commissioner Michael O’Rielly
Erin McGrath