

June 2, 2016

The Honorable Thomas Wheeler, Chairman  
The Honorable Mignon Clyburn  
The Honorable Jessica Rosenworcel  
The Honorable Ajit Pai  
The Honorable Michael O'Rielly  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

*Re: GN Docket No. 14-177, Use of Spectrum Bands Above 24 GHz For Mobile Radio Services; RM-11768, Petition for Rulemaking to Permit MVDDS Use of the 12.2-12.7 GHz Band for Two-Way Mobile Broadband Service*

Dear Chairman Wheeler and Commissioners:

As the FCC continues to identify additional spectrum for the development of Fifth Generation (5G) mobile broadband technologies, I write to encourage the Commission to initiate a formal rulemaking proceeding to explore allowing Multichannel Video Distribution and Data Service ("MVDDS") licensees to use their spectrum to provide 5G mobile broadband service. The MVDDS licensees' 12.2-12.7 GHz spectrum appears to be well suited for 5G deployments, assuming technical rules can be updated to enable sharing between incumbent direct-to-home satellite services (DBS) and mobile broadband services.

Consumers are demanding more data at higher speeds. Spectrum policy must focus on identifying new spectrum blocks that can support greater wireless connectivity and more reliable services. Freeing up additional spectrum for 5G is essential for our country to maintain its global leadership in wireless services. While we are currently the leader in 4G LTE, other countries have taken notice of our success and are aggressively competing in the "spectrum race" to be the first to develop and deploy 5G technologies.

The Commission is on a positive track with its ongoing *Spectrum Frontiers* proceeding that correctly targets spectrum bands above 6 GHz and proposes flexible rule changes that would permit certain bands to be used for 5G deployments. The Commission, however, should consider additional spectrum bands, as well.

Specifically, the Commission should issue a further notice of proposed rulemaking (FNPRM) that includes the MVDDS spectrum when it votes on the Spectrum Frontiers NPRM in the coming months. This would enable the FCC to modernize MVDDS rules to free up 500 MHz of underutilized spectrum for 5G technologies, while protecting existing DBS operations. And by maximizing the spectrum available to support 5G, the FCC will help position the United States to

drive standards and development of 5G and maintain its global leadership in the wireless industry.

Thank you for your consideration, and I look forward to timely updates as the FCC works to free up more spectrum for 5G technologies.

Sincerely,

A handwritten signature in purple ink, appearing to read "Michael F. Bennet". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael F. Bennet  
U.S. Senator



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

July 27, 2016

The Honorable Michael Bennet  
United States Senate  
261 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Bennet:

Thank you for your letter supporting the Commission's efforts to identify spectrum for 5G technologies and encouraging us to initiate a rulemaking to explore increased flexibility for the future use of Multichannel Video Distribution and Data Service (MVDDS) spectrum for 5G mobile broadband services.

I share your commitment to ensuring that the United States maintains its leadership in wireless innovation as the world transitions to the next generation of wireless technology, 5G. If we build off of the spectrum policies that led to our success in 4G – creating flexible licensing and technical rules – we will continue to lead the wireless revolution. To that end, the Commission recently adopted the Spectrum Frontiers *Order and Further Notice of Proposed Rulemaking (FNPRM)* that dramatically increases the amount of spectrum available for 5G services.

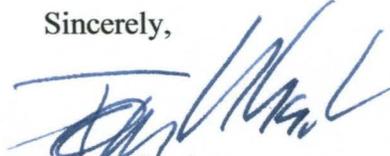
We initiated our Spectrum Frontiers proceeding with the goal of acting incredibly quickly to make new spectrum available. I am pleased that we were able to vote on rules less than 10 months after launching this proceeding. But our vote this month is not the end. We will continue to push to consider additional bands that might be capable of facilitating next generation technologies and have proposed a number of additional bands in the *FNPRM*. At this point, the Spectrum Frontiers proceeding continues to focus on bands above 24 GHz. However, spectrum bands like the MVDDS band that fall below the 24 GHz band may indeed hold potential for future wireless technologies and services to take hold, and there may be an opportunity to consider these bands in the future.

In addition, a petition for rulemaking asking the Commission to permit MVDDS licensees to use their spectrum to provide mobile broadband service was recently filed with the Commission. Consistent with our customary practice, this petition was placed on Public Notice to afford all interested parties an opportunity to file comments. Comments in response to the petition were due last month, and Commission staff is reviewing the record that developed in response to this petition.

Page 2—The Honorable Michael Bennet

I appreciate your interest in this matter, and my staff will endeavor to keep you informed as these proceedings progress. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler

