

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| Petition for Rulemaking to Amend and |) | |
| Modernize Parts 25 and 101 of the |) | |
| Commission’s Rules to Authorize and |) | RM-11791 |
| Facilitate the Deployment of Licensed Point- |) | |
| to-Multipoint Fixed Wireless Broadband |) | |
| Service in the 3700 – 4200 MHz Band |) | |
| |) | |
| Expanding Flexible Use in Mid-Band |) | GN Docket No. 17-183 |
| Spectrum Between 3.7 and 24 GHz |) | |

COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION

Competitive Carriers Association (“CCA”)¹ comments on the Broadband Access Coalition’s Petition for Rulemaking,² which seeks to amend and modernize Parts 25 and 101 of the Commission’s rules for the 3.7 to 4.2 GHz band. CCA agrees with the Broadband Access Coalition (“Coalition”) on the importance of this mid-band spectrum, and—to the extent that this band is underutilized—supports exploration of how to administer this valuable band in the most effective and efficient manner.

¹ CCA is the nation’s leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents associate members including vendors and suppliers that provide products and services throughout the mobile communications supply chain.

² *Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission’s Rules to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3700 – 4200 MHz Band*, Petition for Rulemaking, RM-11791 (filed June 21, 2017) (“Petition”).

CCA applauds the Commission’s efforts to address these concerns through its recently-adopted Notice of Inquiry (“NOI”),³ which seeks to expand flexible use of mid-band spectrum, including both the 3.7 to 4.2 GHz and 6 GHz bands. In conjunction with the Commission’s NOI, CCA supports a proposal put forth by a broad-based coalition of equipment manufacturers, wireless providers, and unlicensed users for both licensed and unlicensed use in these bands.⁴ As the Commission seeks to better utilize these bands, however, CCA notes the importance of protecting incumbents.

I. THE COMMISSION SHOULD FULLY EXPLORE EXPANDED USE OF THE 3.7 TO 4.2 GHZ BAND WHILE ENSURING INCUMBENTS ARE PROTECTED.

CCA recognizes the importance of mid-band spectrum and encourages the Commission to explore whether the 3.7 to 4.2 GHz band can support shared deployment that protects incumbents while allowing for the provision of new competitive services. To the extent that this band is underutilized, the Commission should consider ways to maximize the use of this and other valuable spectrum resources.

CCA therefore supports the recent NOI, which “seek[s] input on potential opportunities for additional flexible access—particularly for wireless services—in spectrum bands between 3.7

³ *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, Notice of Inquiry, FCC No. 17-104, GN Docket No. 17-183 (rel. Aug. 3, 2017) (“NOI”).

⁴ *See, e.g.*, Remarks of FCC Commissioner Michael O’Rielly Before the Free State Foundation, *Next Generation 5G Wireless Networks: Seizing the Opportunities and Overcoming the Obstacles* at 3 (July 25, 2017) (“O’Rielly Remarks”) (referencing proposal of “an ad-hoc coalition of equipment manufacturers, wireless providers, and unlicensed users . . . on how to open the 3.7 to 4.2 GHz band, which is in close proximity to the 3.5 GHz PALs, for licensed mobile services, while protecting or accommodating incumbents.”); *see also* Michael O’Rielly, *A Mid-Band Spectrum Win in the Making*, FCC BLOG (July 10, 2017, 2:30 PM), <https://www.fcc.gov/news-events/blog/2017/07/10/mid-band-spectrum-win-making> (same).

and 24 GHz.”⁵ Spectrum remains a vital input for next generation services, particularly for underserved and hard-to-reach rural areas. As the Commission has noted, wireless broadband represents a critical component of economic growth, job creation, public safety, and global competitiveness.⁶

The Petition highlights the value of the 3.7 to 4.2 GHz band, noting its “excellent propagation characteristics compared to high-band spectrum” and the fact that “the band has 500 [MHz] of contiguous spectrum.”⁷ And, as the Commission notes in the NOI, the “combination of favorable propagation characteristics of the mid-band frequencies . . . and the opportunity for additional channel bandwidth . . . could make many of these mid-band frequencies well-suited for next-generation wireless services.”⁸ Importantly, “this balance of coverage and capacity could provide a critical input to operators to deploy new and improved wireless services to rural, remote, and underserved areas of the country.”⁹ What’s more, the FCC’s NOI represents a significant opportunity for carriers to pair this mid-band spectrum with the premier propagation characteristics of low-band spectrum recently acquired in the first-ever 600 MHz incentive auction,¹⁰ to facilitate network expansion and innovative technologies. The auction’s conclusion,

⁵ NOI ¶ 1.

⁶ *Id.* ¶ 5.

⁷ Petition at 4.

⁸ NOI ¶ 6.

⁹ *Id.*

¹⁰ *See Incentive Auction Closing and Channel Reassignment Public Notice; the Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, DA 14-314, ¶ 2 (rel. Apr. 13, 2017).

and the FCC and industry’s focus on a safe, expeditious post-auction transition period¹¹ are timely as the Commission continues to explore new spectrum opportunities. Because of mid-band spectrum’s positive traits and the potential for widespread innovation, it is important for the Commission to fully explore use of this band—along with the 6 GHz mid-band spectrum the Commission addresses in the NOI—to determine the best way to use and maximize this spectrum.

CCA supports the Commission’s efforts through the NOI to explore all avenues for potential use of the band¹² and urges the Commission to consider the Coalition’s proposal to authorize and facilitate a new, licensed fixed wireless point-to-multipoint (“P2MP”) high-speed broadband service on a shared basis in the band as part of its larger efforts in the NOI. CCA also supports consideration of the proposal in the NOI put forth by a broad-based coalition of equipment manufacturers, wireless providers, and unlicensed users including Intel, Ericsson, T-Mobile, and Verizon, which recommends that the FCC allocate 3.7 to 4.2 GHz spectrum for licensed mobile communications and designate 6 GHz spectrum (5.925 to 7.125), which includes the C-Band uplink, for unlicensed use, while preserving existing users in the band.¹³ The proposal would make 1700 MHz of spectrum available: 500 MHz for licensed use and up to 1.2 GHz for unlicensed purposes. Significantly, the broad-based coalition’s plan would protect or accommodate incumbents in both of these bands, including the many current, and any future, terrestrial point-to-point systems.¹⁴

¹¹ See Opposition to Petition for Reconsideration, Competitive Carriers Association, MB Docket No. 16-306, GN Docket No. 12-268 (filed Mar. 29, 2017) (“CCA Opposition”).

¹² NOI ¶ 19.

¹³ See O’Rielly Remarks at 3 (describing ad hoc coalition’s proposal).

¹⁴ *Id.*

In light of the existing and potential future proposals the Commission may receive in response to the NOI, CCA notes the importance of gathering all relevant information before acting on the important mid-band spectrum at the heart of the Petition and the NOI, and urges the Commission to explore all avenues available for the potential use of additional spectrum for wireless use.

II. THE COMMISSION SHOULD ANALYZE WHETHER AN INTERFERENCE PLAN WOULD PROTECT INCUMBENT USERS PROVIDING CRITICAL SERVICES TO RURAL AREAS.

In reviewing the 3.7 to 4.2 GHz band, the Commission must undertake an analysis to determine whether or not an interference plan would actually protect incumbent users, some of which are providing critical services to unserved, underserved, and very rural areas. For example, in Alaska, the 3.7 to 4.2 GHz band is used to facilitate and provide broadband services to areas that would normally not receive such services. To the extent the Commission modifies its rules for this band, it should consider carve-outs for areas in which providers are actively using the 3.7 to 4.2 GHz band to provide services to consumers and businesses. It is important that any modernization of this band protects incumbents, particularly those incumbents already using this band to provide broadband in hard-to-reach areas.¹⁵ As it moves forward with the NOI, CCA encourages the Commission to fully explore possible ways to “minimize the potential for harmful interference between and among licensees in the band.”¹⁶

¹⁵ The Petition puts forth one potential proposal for protecting incumbents: automated frequency coordination. Petition at 34-35.

¹⁶ NOI ¶ 22.

III. CONCLUSION

Given the importance of mid-band spectrum for future broadband deployment, CCA supports the Commission's efforts to explore ways to provide additional flexible access to these bands. CCA urges the Commission to move forward by gathering information and proposals to best utilize mid-band spectrum through its NOI—including protective measures for incumbents already using this band to provide broadband in underserved, rural areas.

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