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VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: *Unlicensed Use of the 6 GHz Band*, ET Docket No. 18-295; *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, GN Docket No. 17-183

Dear Ms. Dortch:

Yesterday, I spoke by telephone with Ethan Lucarelli, Acting Legal Advisor to Acting Chairwoman Rosenworcel, regarding the above-captioned matters. During the call, I made the following points: (1) the Commission authorized the use of low-power indoor unlicensed devices without automated frequency coordination in the 6 GHz band based on unfiled, theoretical studies by some proponents for unlicensed use that purported to show that such use would be unlikely to cause harmful interference to microwave incumbents; (2) those claims were heavily contested by microwave incumbents; (3) Southern Company has now submitted data from real-world tests of commercial, off-the-shelf 6 GHz unlicensed devices and an actual operating microwave link, and the data show harmful interference to primary, incumbent microwave licensees is inevitable.¹

In these circumstances, it is essential for the Commission to appropriately weight Southern Company's testing. In doing so, the Commission should resolve once and for all, based on real-world empirical data, what measures are necessary to ensure that low-power indoor unlicensed 6 GHz devices—which are already being sold to consumers—will not cause harmful interference to microwave incumbents. The Commission should direct its staff to resolve this question promptly before such interference becomes virtually unpreventable.

Sincerely,

Henry G. Hultquist

CC:
Ethan Lucarelli

¹ Test Report on the Effects of 6 GHz Unlicensed RLAN Units on Fortson to Columbus Microwave Link, Lockard & White in partnership with Southern Company Services (dated June 21, 2021) (Attachment A to Southern Company Services, Inc. *Ex Parte* Letter, ET Docket No. 18-295, GN Docket No. 17-183 (dated June 23, 2021)).