



WASHINGTON, DC

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September 8, 2017

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

Re: **Wireless Internet Service Providers Association
GN Docket No. 12-354; GN Docket No. 17-183; GN Docket No. 17-
199; WC Docket No. 10-90; WC Docket No. 11-10; WC Docket No.
17-108; RM-11791
Notice of Oral Ex Parte Presentation**

Dear Ms. Dortch:

On September 7, 2017, on behalf of the Wireless Internet Service Providers Association, (“WISPA”), WISPA FCC Committee Chair Mark Radabaugh, WISPA Legislative Committee Chair Jimmy Carr, and undersigned counsel to WISPA met with Commissioner Brendan Carr and his Legal Advisor Kevin Holmes. The purpose of the meeting was to discuss WISPA’s regulatory priorities, which are summarized in the attached presentation that was provided to Commissioner Carr and Mr. Holmes.

Pursuant to Section 1.1206 of the Commission’s Rules, 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

Enclosure

cc: Commissioner Brendan Carr
Kevin Holmes



WISPA's FCC Public Policy Priorities 2017-2018

Association Leadership

- Chuck Hogg – President
- Mark Radabaugh – FCC Committee Chair
- Jimmy Carr – Legislative Committee Chair
- Steve Coran – Washington Counsel
- Ari Storch – Lobbyist
- Fred Goldstein – Technical Consultant
- Richard Bernhardt – CBRS & Spectrum Advisor

WISPA

Priorities

1

Gain access to
additional spectrum

2

Provide meaningful
opportunity for CAF
participation

3

Eliminate
burdensome
regulations

The CBRS Rules Will Help Bridge the Digital Divide and Should be Maintained

- Providing high quality fixed broadband to the unserved is a higher priority than creating additional mobile capacity
 - Mobile 5G is designed for small-cell deployments – it is not a substitute for fixed broadband and will not address the needs of rural Americans
- The FCC's 2015 framework for CBRS should be maintained
 - Small license areas encourage targeted private investment to connect the unserved
 - License terms should encourage deployment and competition
 - The three-tier structure should be preserved
 - The FCC can conduct an auction under the current rules
 - WISPs have invested millions in 3550-3700 MHz deployments, service and testing
 - Manufacturers have multiple years of R&D invested on the basis of the current rules and are shipping products and competing on price and features
 - Investment will be stranded if there are significant changes to the rules that were unanimously adopted in 2015

Other Mid-Band Spectrum Should be Allocated in a Manner that Best Supports Connecting the Unserved

- WISPA is a co-sponsor of the Broadband Access Coalition's petition for rulemaking to allow shared use of the 3700-4200 MHz band for high-throughput point-to-multipoint service under Part 101 of the FCC's Rules
- The Coalition's proposal does not require an expensive and time-consuming band-clearing process, so critical mid-band spectrum can be put to use now
- Allocation under Part 101 will incentivize rapid deployments and attract private capital
- WISPA will be participating in the Mid-Band Notice of Inquiry Proceeding
 - Consideration of the Coalition's petition for 3700-4200 MHz should not be delayed by the NOI
 - 6 GHz band should be allocated for unlicensed use on a shared basis with incumbents

The FCC Must Ensure that Smaller Providers Using Fixed Wireless Have a Real Opportunity to Participate in the CAF Phase II Auction

- WISPA members are planning to participate in the CAF Phase II reverse auction
- The FCC has made some strides to improve the auction structure to increase participation and competition
 - Initial bias for fiber has been reduced
 - Excessive gating criteria have been moderated
- Current auction procedures proposals threaten to undermine past progress
 - Spectrum-based proposals should not be subject to a higher level of scrutiny than other technologies
 - The proposed 5-point financial eligibility criteria will disqualify a very large number of experienced and well-financed broadband providers from participating in the auction and *would disqualify some price-cap carriers that are already receiving CAF funding*
 - Complexity of auction and potential application of anti-collusion rules will make it difficult for small companies to obtain expertise

Eliminating Burdensome Regulations

- The record demonstrates that Title II rules have constrained small businesses from investing and deploying broadband service
- WISPA has asked the FCC to take steps to meet requirements of the Regulatory Flexibility Act and Paperwork Reduction Act
 - Better IRFAs mean a better record to eliminate unnecessary burdens for small businesses
 - Burden estimates should be made before rules are adopted
- WISPA and other associations have met with OED Task Force to recommend processes for improving data collections and compliance
 - The FCC should balance the benefits of additional data reporting with the burdens small providers incur to collect it

Fixed Wireless is the Key to Bridging the Digital Divide

- Ensuring that fixed broadband is available to all Americans should be the Commission's first priority
- Thousands of WISPs are already investing private capital to successfully serve rural Americans
- Spectrum is a form of infrastructure the FCC can use to leverage private capital and accelerate broadband deployment
- Smart spectrum allocation will reduce the long-term need for ongoing public financial support and encourage innovation and competition
- The combination of spectrum access, CAF support and reduced regulatory burdens will
 - Stimulate deployment of affordable broadband solutions by the small companies that are already investing in rural America
 - Foster competition and new market entrants
 - Accelerate the country's leadership in broadband deployment and innovation

