



September 8, 2021

VIA ECFS NON-DOCKETED PLEADINGS, INBOX – 1.931 Market-based STAs

Joel Taubenblatt
Acting Chief, Wireless Telecommunications Bureau
Federal Communications Commission
45 L St. NE
Washington, DC 20554

Dear Mr. Taubenblatt,

DISH Wireless L.L.C. (“DISH”), pursuant to Section 1.931 of the Commission’s rules,¹ requests special temporary authority (“STA”) to use the two 600 MHz band spectrum currently licensed to Bluewater Wireless II, L.P. (“Bluewater”), shown in Exhibit A attached hereto. DISH seeks this STA for a period of ninety (90) days from Commission action, provided that DISH will conclude its use of the Exhibit A spectrum no later than December 31, 2021. Bluewater has provided written consent for this STA, as shown in Exhibit B.

DISH recognizes that the Commission’s rules generally require that STA requests be submitted electronically on FCC Form 601. However, the Universal Licensing System does not currently allow applicants to electronically file for permission to use 600 MHz spectrum for which an applicant is not authorized, on a temporary basis. DISH therefore is submitting this letter as its STA application.

The Bluewater licenses that are the subject of this STA request are in two of the markets where DISH is validating and testing equipment for its new Open-RAN compliant 5G broadband network. DISH will use this additional spectrum to test carrier aggregation functionality (“CA”) paired with DISH-licensed 600 MHz spectrum. As explained below, DISH is unable to adequately test CA using only its own licensed spectrum due to insufficient bandwidth in the two test markets and because the contemplated CA tests require non-contiguous 600 MHz spectrum blocks.

Background

DISH is a connectivity company that has served as a disruptive force in the pay-TV market since 1980. In 2020, DISH entered the retail wireless business through its acquisition of the Boost Mobile and Ting Mobile brands and customer assets. DISH has also invested more than \$22 billion in wireless spectrum assets over the past decade. DISH is building the nation’s first cloud-native, Open RAN-based 5G broadband network. DISH has entered into multi-year agreements with over 30 partners, including Mavenir, AltioStar, Amazon, Dell, VMWare, Nokia,

¹ See 47 C.F.R. § 1.931(a)(1).

Fujitsu, MTI, Intel, and Qualcomm. In December 2020, DISH completed its first fully Open RAN-compliant network communication.

DISH has committed to construct its 5G broadband network on aggressive timelines approved by the Commission, including deploying its 600 MHz licenses on an accelerated timeline, four years sooner than the original license terms.² Through its affiliate, ParkerB.com Wireless L.L.C., DISH holds at least 5x5 MHz in the 600 MHz band in all 416 Partial Economic Areas (“PEAs”) in the United States.

STA Serves the Public Interest

DISH’s 600 MHz licenses will provide critical low-band coverage. Grant of this STA will deliver important public interest benefits. In particular, the STA will enable DISH to put to use certain spectrum licensed to Bluewater that is not yet deployed. The two Bluewater 600 MHz licenses for which DISH seeks STA are in the Denver, Colorado and Las Vegas, Nevada PEAs. DISH is headquartered in Denver, where DISH houses critical engineering personnel and lab equipment. And as publicly reported, DISH has designated Las Vegas as its first 5G launch market. As such, DISH’s ability to meet its 5G buildout commitment can be enhanced with access to additional spectrum to support testing in these two markets.

In both Denver and Las Vegas, DISH holds the 600 MHz F and G blocks, providing contiguous blocks of paired 5x5 MHz licenses. However, DISH anticipates needing more low-band spectrum in some markets to meet customer demand in the future. When and if additional 600 MHz spectrum becomes available, either when the Commission auctions unassigned spectrum or through future partnerships, DISH plans to use carrier aggregation at the market level to combine multiple 600 MHz assets to add capacity and improve data throughput speeds.

To realize this goal, DISH needs to conduct CA testing in a real-world environment using the specific radios and handsets developed by its vendors for its 5G broadband network. And to test 600 MHz CA, DISH requires *non-contiguous* spectrum blocks. Bluewater’s A Block licenses in Denver and Las Vegas meet this need.

Neither the public interest nor any other Commission licensee will be harmed by grant of the requested STA. Bluewater has provided written consent, shown in Exhibit B. This STA is also consistent with a large number of STAs granted to the three nationwide incumbent carriers during 2020 and 2021³ to use additional spectrum for which they were not licensed in order to

² See *WTB Modifies DISH Wireless Service Radio Licenses to Promote 5G*, Order of Modification and Extension of Time to Construct, WT Docket 18-197 (Sept. 11, 2020).

³ See, e.g., Special Temporary Authority, Cellco Partnership, ULS File No. 0009040232 (granted April 22, 2020) (granting Verizon a 60-day STA to operate in the AWS-3 band on spectrum held by the FCC, Northstar Wireless, LLC, and SNR Wireless LicenseCo, LLC); Special Temporary Authority, New Cingular Wireless PCS, LLC, ULS File No. 0009040046 (granted April 22, 2020) (granting AT&T a 60-day STA to use certain unassigned AWS-3 spectrum); Special Temporary Authority, T-Mobile License LLC, ULS File No. 0009222856 (granted Sept. 11,

improve their quality and availability of service. DISH, similarly, is seeking access to additional spectrum resources to enhance its buildout and offer 5G service with sufficient speed and capacity to compete with the incumbent carriers.

Finally, STA is appropriate because DISH has an immediate need to commence CA testing in order to meet development timelines from its equipment vendors and partners.

* * *

DISH appreciates the Commission's prompt attention to this request. If there are any questions, please contact Alison Minea, Vice President, Regulatory Affairs, at Alison.Minea@dish.com or (202) 463-3709.

2020) (granting T-Mobile a 60-day STA to use certain 600 MHz licenses held by DISH through ParkerB.com Wireless L.L.C.).

EXHIBIT A

MARKET	MARKET NAME	BLOCK	CALL SIGN
PEA020	Denver, CO	A	WRBV762
PEA026	Las Vegas, NV	A	WRBV760

EXHIBIT B: LICENSEE CONSENT

September 8, 2021

Joel Taubenblatt
Acting Chief, Wireless Telecommunications Bureau
Federal Communications Commission
45 L St. NE
Washington, DC 20554

Re: Request for Special Temporary Authority

Dear Mr. Taubenblatt,

On behalf of Bluewater Wireless II, L.P., Bluewater Management Company, its Managing General Partner, consents and supports DISH Wireless L.L.C.'s request for special temporary authority to use the 600 MHz licenses indicated below. It is expressly understood by both parties that: A) the test will end no later than 12/31/21 and B) that the Bluewater Wireless II licenses will only be used for testing purposes and will not be used to provide commercial services.

MARKET	MARKET NAME	BLOCK	CALL SIGN
PEA020	Denver, CO	A	WRBV762
PEA026	Las Vegas, NV	A	WRBV760

Sincerely,



Charles Townsend, President
Bluewater Management Company, the General Partner of
Bluewater Wireless II, L.P.
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(401) 458-1900