



September 17, 2020

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Ex Parte Presentation, Facilitating Shared Use in the 3.1-3.55 GHz Band, WT Docket No. 19-348

Dear Ms. Dortch:

On September 15 and 16, 2020, CTIA and representatives from AT&T, T-Mobile, US Cellular, and Verizon met separately via telephone conference with Sean Spivey of the Office of Chairman Ajit Pai, Erin McGrath of the Office of Commissioner Michael O’Rielly, Will Adams of the Office of Commissioner Brendan Carr, Umair Javed of the Office of Commissioner Jessica Rosenworcel, and William Davenport of the Office of Commissioner Geoffrey Starks to discuss the above-captioned proceeding. A full list of meeting attendees is attached to this filing.

During the meetings, CTIA expressed its strong support for adoption of the Draft Order and FNPRM and the Commission’s efforts to repurpose the 3.45-3.55 GHz band to non-federal use under a 5G-friendly framework, with the goal of auctioning this band by December 2021.¹ As CTIA explained, the 3 GHz band is a 5G priority band for wireless providers and, internationally, this spectrum is the most broadly adopted band for 5G.² The Commission can and should act quickly to relocate non-federal secondary Radiolocation and Amateur

¹ See *Facilitating Shared Use in the 3100-3550 MHz Band*, Draft Report and Order and Further Notice of Proposed Rulemaking, WT Docket No. 19-348, FCC-CIRC2009-01 (rel. Sept. 9, 2020) (“Draft Order” and “Draft FNPRM”).

² See Comments of CTIA, WT Docket No. 19-348, at 2-5 (filed Feb. 21, 2020); Reply Comments of CTIA, WT Docket No. 19-348, at 3-5 (filed Mar. 23, 2020); Letter from Kara Graves, AVP, CTIA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 19-348 (filed Sept. 4, 2020).



operations out of the 3.3-3.55 GHz band segment to clear the way for 5G with an emphasis on exclusive, full-power operations.

CTIA also supported the Commission’s efforts in the Draft FNPRM to free up 100 megahertz of critical mid-band airwaves for licensed, exclusive use across the majority of the U.S. while ensuring the continued operation of mission-critical federal operations. The Commission correctly proposes 5G-friendly technical and licensing rules for the 3.45-3.55 GHz band without the unnecessary application of a complex sharing mechanism or framework. Such proposals—including for full power and out-of-band emissions limits consistent with other commercial mobile service bands—are consistent with the White House and Department of Defense agreement and would enable robust 5G operations within the band. As the Commission correctly states, proposals to “align the technical rules for this band with those adopted in the 3.7 GHz band” will “promote maximum flexibility for 5G deployments.”³

To further enable the goals of the Commission and the Administration in this proceeding, CTIA suggested several modest clarifications to the Draft FNPRM to allow for a more informed record. First, CTIA suggested that in the coordination regime needed for sharing between federal and non-federal operations,⁴ the Commission should also discuss proposals on sharing of sensitive and classified information. Information regarding federal operations and technical details will need to be shared with new licensees, and the Commission should explore methods for implementing this information sharing. This could be implemented through additional questions in paragraph 46 of the Draft FNPRM.

Second, where the FNPRM focuses on protections that commercial systems can implement to protect federal operations,⁵ it would be beneficial for the Commission to also seek comment on efforts that federal systems and operators can make to optimize and encourage sharing. This could be implemented, for example, in paragraph 50 of the Draft FNPRM by adding: “Are there filters that commercial *or federal* users could use to minimize the potential for harmful interference.”

³ Draft FNPRM ¶ 71.

⁴ *Id.* ¶¶ 38-52.

⁵ *Id.* ¶ 50.



Third, in paragraph 52 of the Draft FNPRM, the Commission proposes to authorize federal users to operate within the band in times of National Emergency as required to meet operational mission requirements. CTIA recommended that the Commission consider explaining how this proposal differs from existing statutory authority the federal government has in times of National Emergency⁶ and why there is a need for a specific requirement for the 3.45-3.55 GHz band.

Finally, in paragraph 77 of the Draft FNPRM, the Commission asks questions about use of a graduated emission mask as applied in the context of the Citizens Broadband Radio Service (“CBRS”).⁷ In its meetings, CTIA noted that this type of restrictive out-of-band emission requirement would be inconsistent with other commercial mobile spectrum bands and that the CBRS emission mask was developed to protect Fixed-Satellite Service incumbents that were receiving very low power signals. However, the 3.45-3.55 GHz band would be adjacent to other terrestrial systems and should be governed by the normal, flexible out-of-band emission requirement applied in other commercial contexts. CTIA asked that the Commission make these distinctions clear when discussing its alternative proposal.

By adopting proposals for a 5G-friendly licensing approach for the 3.45-3.55 GHz band, the Commission will enable more robust, innovative services similar to those that enabled the U.S. to be a leader in LTE. The Commission’s decisions during the 4G decade directly contributed to substantial economic and consumer benefits—with nearly 10 percent of the GDP increase of the entire U.S. economy from 2011 to 2019 due to the growth of the wireless industry, driving nearly \$700 billion in economic contribution last year alone.⁸ CTIA and its members urged rapid adoption of the Draft Order and FNPRM to replicate this successful framework for the 3.45-3.55 GHz band.

Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed in ECFS. Please do not hesitate to contact the undersigned with any questions.

⁶ See, e.g., 47 U.S.C. § 308.

⁷ Draft FNPRM ¶ 77.

⁸ See *The 4G Decade: Quantifying the Benefits*, RECON ANALYTICS (July 2020), attached to Letter from Kara Graves, AVP, CTIA, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 20-60, WT Docket No. 19-348 (filed Aug. 6, 2020).



Sincerely,

/s/ Kara Graves

Kara Graves

Assistant Vice President, Regulatory Affairs

Attachment



Attachment

September 15, 2020 Meeting with Erin McGrath, Office of Commissioner O’Rielly

- Scott Bergmann, CTIA
- Kara Graves, CTIA
- Tom Dombrowsky, DLA Piper (for CTIA)
- Stacey Black, AT&T
- Grant Spellmeyer, US Cellular
- Patrick Welsh, Verizon

September 15, 2020 Meeting with Will Adams, Office of Commissioner Carr

- Scott Bergmann, CTIA
- Kara Graves, CTIA
- Tom Dombrowsky, DLA Piper (for CTIA)
- Grant Spellmeyer, US Cellular
- Patrick Welsh, Verizon

September 15, 2020 Meeting with William Davenport, Office of Commissioner Starks

- Scott Bergmann, CTIA
- Kara Graves, CTIA
- Grant Spellmeyer, US Cellular
- Patrick Welsh, Verizon

September 16, 2020 Meeting with Sean Spivey, Office of Chairman Pai

- Scott Bergmann, CTIA
- Kara Graves, CTIA
- Tom Dombrowsky, DLA Piper (for CTIA)
- John Hunter, T-Mobile
- Patrick Welsh, Verizon

September 16, 2020 Meeting with Umair Javed, Office of Commissioner Rosenworcel

- Scott Bergmann, CTIA
- Kara Graves, CTIA
- Tom Dombrowsky, DLA Piper (for CTIA)
- Patrick Welsh, Verizon