

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)	
)	
Use of Spectrum Bands Above 24 GHz For)	GN Docket No. 14-177
Mobile Radio Services)	
)	

COMMENTS OF DCI

Diversified Communications, Inc., and its wholly-owned subsidiary, DCI II, Inc. (collectively referred to herein as “DCI”) hereby comment on the Federal Communications Commission’s (“FCC” or “Commission”) Fourth Further Notice of Proposed Rulemaking (“FNPRM”) issued in the above-captioned proceeding.¹ While this FNPRM seeks comments on transitioning existing 38.6-40 GHz (39 GHz) band licenses to the new flexible-use band plan, it fails to include any mention of compensation or transition plan for holders of secondary licenses, such as DCI, who will also have to vacate. DCI is a small business that has significantly invested in 39 GHz equipment, similar to licensees who have Partial Economic Area (PEA) or Rectangular Service Area (RSA) licenses, which are covered under this FNPRM. Therefore, DCI believes that it should be compensated for the 39 GHz band equipment losses and replacement costs.

BACKGROUND

DCI was founded in 1987 as a provider of transportable uplink services for broadcast networks. With a history of innovation and ability to take on any challenge, today DCI is a full-service provider offering satellite uplink trucks and flyaways (air

¹ *Use of Spectrum Bands Above 24 GHz For Mobile Radio Services*, Fourth Further Notice of Proposed Rulemaking, GN Docket No. 14-177, FCC 18-110 (rel. Aug. 3, 2018) (“FNPRM”).

transportable uplink services), and full C and Ku bands teleport services, including enterprise-grade Internet by Satellite, multiple path video transmission, fiber connectivity, crewing rentals, DC-area standup positions, and insert studios. DCI II, Inc. holds a license in the local television transmission service (“LTTS”). DCI II, Inc.’s license, WPJC398, is a temporary-fixed microwave license that covers multiple LTTS bands, but is secondary to the auctioned licenses identified in this FNPRM in the 39 GHz band. DCI first applied for WPJC398 in 1996, and has used it extensively to meet its customers’ needs.

DISCUSSION

The FCC should incorporate secondary licenses, such as WPJC398, in its transition plans in this proceeding. Holders of similar LTTS licenses will also be impacted. DCI recognizes that this FNPRM does not address secondary licensees in the 39 GHz band, such as LTTS licenses. Holders of LTTS licenses are not included in any current plans to receive compensation, although holders of these licenses will be affected by the proposals in this FNPRM. DCI has made a significant investment in 39 GHz equipment and its LTTS license has been used for over twenty (20) years. Moreover, incorporating secondary licenses in the transition plans is similar to previous accommodations provided to secondary licensees following other FCC auctions in connection with repurposing of spectrum. For instance, Congress is now directing the FCC to reimburse LPTV stations and TV translators that have to change frequencies in connection with the TV Incentive Auction Repack.² Similarly, reimbursement plans were included with the Sprint/Nextel 2

² See *LPTV, TV Translator, and FM Broadcast Station Reimbursement; Expanding the Economic and Innovation Opportunities of Spectrum Through Inventive Auctions*, Notice of Proposed Rulemaking and Order, MB Docket Nos. 18-214 and 12-268, FCC 18-113 (rel. Aug. 3, 2018).

GHz repacking. Basic fairness dictates that LTTS licensees should be compensated for their potentially stranded investment.

CONCLUSION

For the foregoing reasons, DCI urges that the Commission include DCI and other holders of secondary LTTS licenses in any transition plans and reimbursement programs adopted in this proceeding.

Respectfully submitted,

DIVERSIFIED COMMUNICATIONS, INC.
DCI II, Inc.

/s/

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