



September 21, 2017

Via Electronic Filing

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

Re: *Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band (GN Docket No. 12-354); Petitions for Rulemaking Regarding the Citizens Broadband Radio Service (RM-11788, RM-11789)*

Dear Ms. Dortch:

On September 20, 2017, Andrew Clegg and Michael Purdy, representing Alphabet Access, and I met with Commissioner Rosenworcel and her Legal Advisor Travis Litman, and separately with Rachael Bender, Legal Advisor to Chairman Pai, to discuss the rulemaking petitions of CTIA and T-Mobile in the above-captioned dockets. During the meetings, we discussed the points summarized in the attached presentation.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record. Please contact me should you have any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Austin C. Schlick".

Austin C. Schlick
Director, Communications Law
Google Inc.

cc: *Via electronic mail*
Commissioner Jessica Rosenworcel
Travis Litman
Rachael Bender

Preserving Opportunity in the CBRS Band

September 2017

Part 96 Already Is Supporting Diverse Innovation and Investment that Should Not Be Disrupted

Industry is implementing Part 96

- **WlnnForum's Spectrum Sharing Committee (45 members)** has released technology-neutral protocols regarding operations, interoperability, security, and device testing/certification, e.g.:
 - SAS-SAS Technical Protocol Specification (2016)
 - Requirements for Commercial Operation in the U.S. 3550–3700 MHz CBRS Band (2017)
- **CBRS Alliance (66 members)** promotes TD-LTE commercial use of the band by different categories of operators
 - LTE-based CBRS technology and relevant capabilities, e.g. multi-operator deployments
 - Product certification program for LTE equipment that ensures multi-vendor interoperability
- **WISPA (800+ members)** is coordinating with WlnnForum and leading rural deployment efforts



CBRS is attracting significant, diverse investment

200+ experimental authorizations have been granted for the 3.5 GHz band since the 2015 Order

Both traditional & non-traditional use cases are being developed

- **AT&T, Verizon, and Charter** are testing CBRS 5G systems
- **WISPs** are buying 3.5 GHz equipment to provide rural services under PAL licenses
- **Qualcomm** released Snapdragon X20 LTE modem with 1.2 Gbps speeds at 3.5 GHz
- **GE, Nokia and Qualcomm** are developing a private CBRS/LTE network for IoT
- **Nokia's** "Flexizone" small-cell LTE product targets enterprises, venues, and the hospitality industry
- Demonstrations of CBRS streaming 360-degree VR in-car race experience

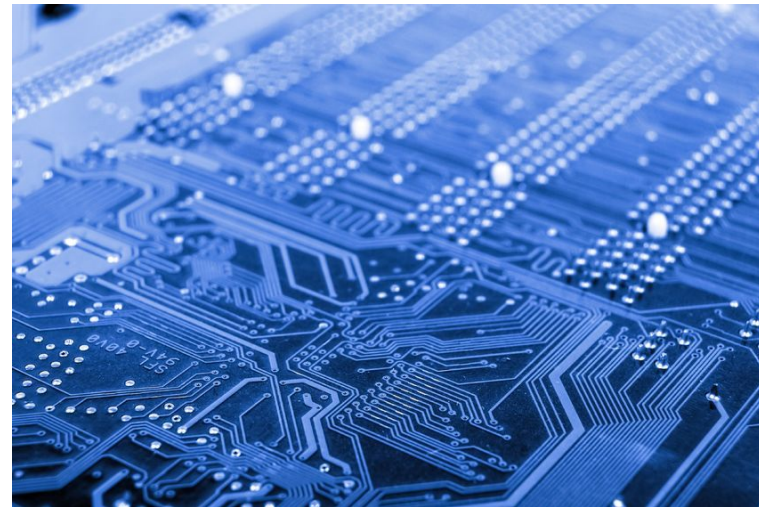
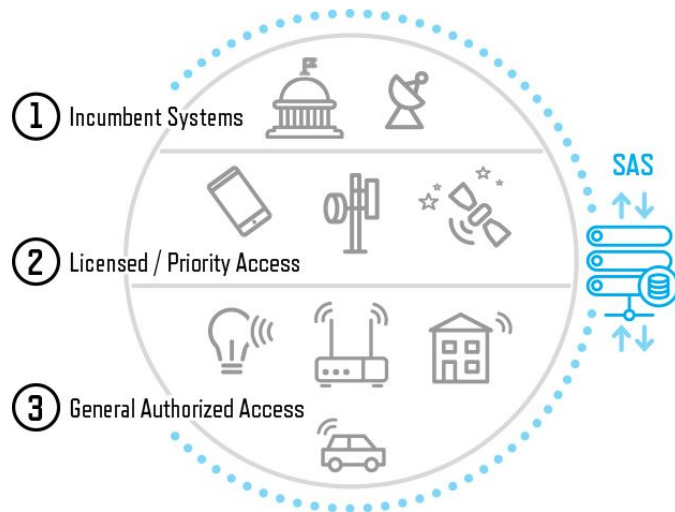


Alphabet Access and Google are doing our part

- Collaborative thought leadership: WInnForum / CBRS Alliance
- Testing and development of CBRS technology
 - Extensive 3.5 GHz propagation testing
 - First end-to-end demonstrations of CBRS mobile devices
 - Partnered to live stream VR from race cars
 - Running 300 Mbps backhaul LTE network for Wi-Fi-equipped employee shuttles between San Francisco and Silicon Valley
 - Demonstrated interoperability with Federated Wireless SAS, validating the SAS-to-SAS interface protocol defined by WInnForum
 - Created the Trusted Tester CBSD Program to help hardware manufacturers test products with Alphabet's SAS; Ericsson was first manufacturer to pass

Rule changes must not delay upcoming deployments

- WinnForum anticipates the Commission will be able to move forward with the certification of SAS and ESC systems this fall, paving the way for GAA deployments and PAL auctions in 2018
- The first 3.5 GHz LTE handset is expected to be approved later this year



The Petitions Threaten Economic Opportunity and Spectrum Value

5G advances will be heterogeneous, not homogeneous

New users/ deployers

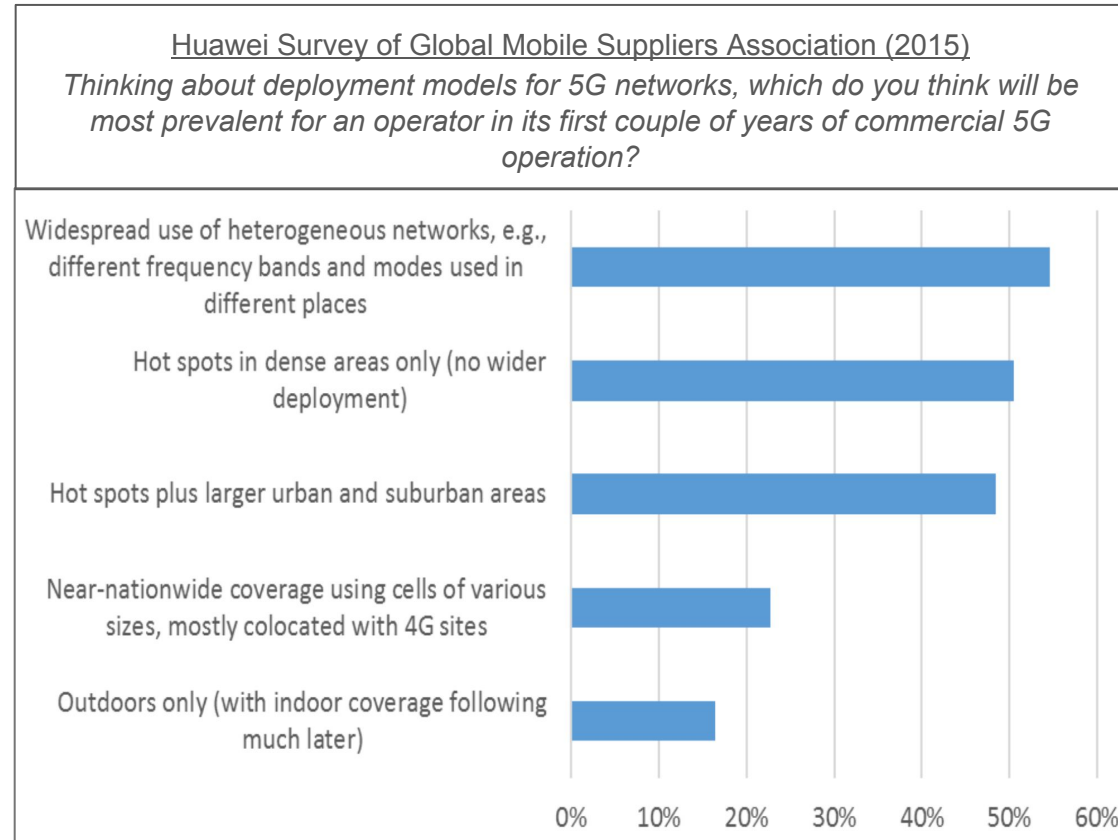
- Medicine, agriculture, transportation, manufacturing, entertainment, hospitality and other industries
- Urban, suburban, rural

New tech

- IoT (wearables, fitness devices, self-driving cars, smart grids, home and office automation)
- VR and AR
- Smart cities
- Telemedicine

Macrocell / small-cell

- 5G will require both wide-area and “hot spot” deployments



See 4G Americas, *5G Technology Evolution Recommendations*, at 2-8 (Oct. 2015),

http://www.5gamericas.org/files/2414/4431/9312/4G_Americas_5G_Technology_Evolution_Recommendations_-_10.5.15_2.pdf;

Global mobile Suppliers Association, *The Road to 5G Drivers, Applications, Requirements and Technical Development*, at 28 (Nov. 2015), http://www.huawei.com/minisite/5g/img/GSA_the_Road_to_5G.pdf; *In the Matter of Use of Spectrum Bands Above 24 GHz Mobile Radio Services, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd. 8014, ¶¶ 7, 261 (2016).

US incumbencies require different rules than elsewhere

- Incumbency issues in the US 3.5 GHz band are with the military, and are dynamic
- Infeasible to harmonize CBRS with rules in other countries or regions

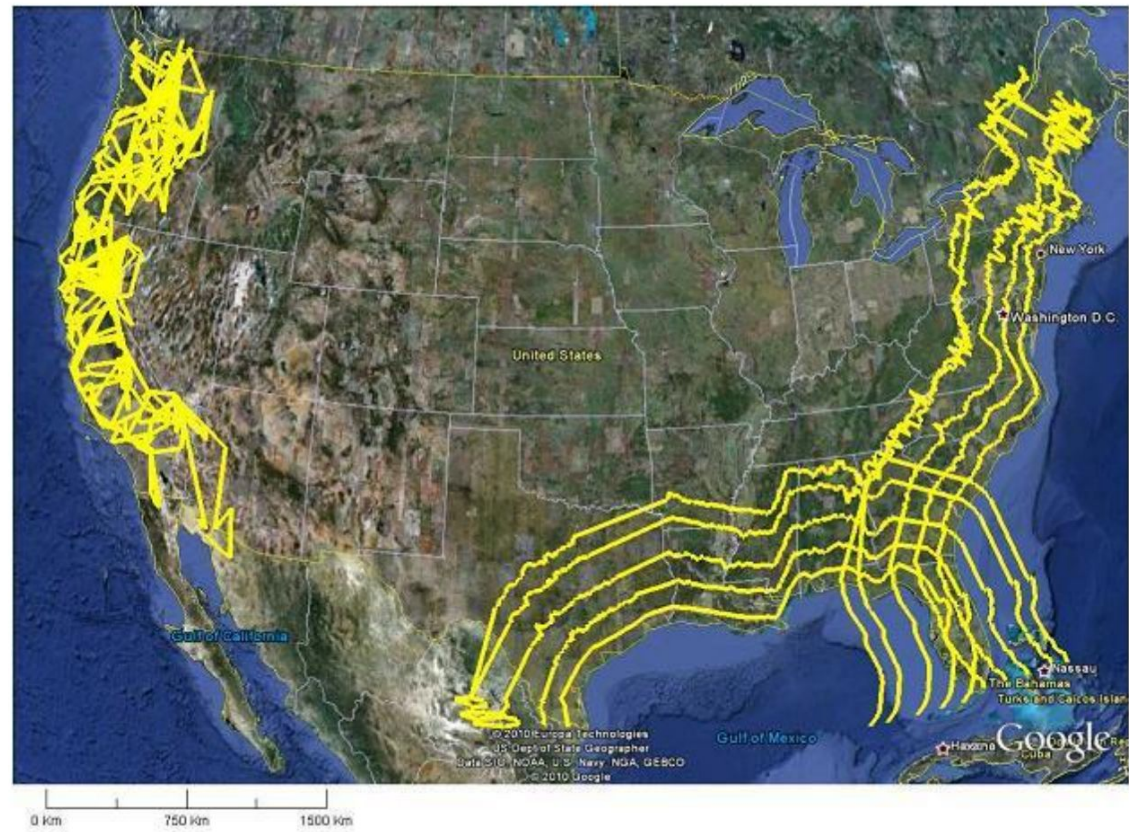


Figure 5-3. Composite Depiction of Exclusion Zone Distances, Shipborne Radar Systems

Census tract PALs create usage opportunities

- Smaller license areas open the auctions to additional potential users
 - Localized services (e.g., rural WISPs, M2M networks in factories, college campus networks)
 - Flexibility to acquire additional spectrum in specific areas where additional capacity is needed
- **GE:** *“There are industrial and critical infrastructure 5G deployments, like GE’s, that will be highly specialized and limited to a narrow area Moving to PEAs would force GE and other providers off PALs and deprive them of the licensed spectrum necessary to support mission-critical applications.”*
- **WISPA:** *“The notions of ‘targeted’ and ‘localized’ areas mean one thing to large mobile wireless carriers and quite something else to rural broadband providers, private networks, airports, campuses, shopping malls, electric grids, stadia and arenas, and a host of other use cases that do not divide the country into 416 geographic areas that are too large for their service needs and too expensive for their wallets.”*
- **Professor Paul Milgrom:** *“[L]ocal users with high value uses should be able to bid to supply their own needs, without being forced to bargain with a third party that controls their access. This factor favors licenses covering census tracts for this application.”*

Modern systems can handle a large number of licenses

- Innovative and high-volume auctions are common
 - FCC has just completed the complex 600 MHz incentive auction
 - eBay has ~1 billion active listings at any given time
 - Google conducts millions of auctions every minute for its ads business
- SAS administrators and PAL licensees are capable of managing tract licensees
 - No SAS applicant views the existing license framework as beyond its capabilities
 - E.g., “CTIA’s SAS will support both CBSD categories for GAA and Priority Access use, consistent with the rules adopted in the *3.5 GHz Order*, *3.5 GHz Second R&O*, and *3.5 GHz Reconsideration Order*, as applicable”
 - Sprint/Clearwire currently manages over 30,000 active FCC licenses

There is no good reason to extend PAL terms

- Rule 96.27(b) specifies sequential licenses with a total term of **6 years** at the PAL licensee's option during the first application window (not 3 years as CTIA suggests)
- License terms should reflect that the most productive and valuable uses of the band could change over time; carriers until recently thought the band would not be useful for mobile

"This spectrum has limited value for traditional CMRS and mobile broadband transmissions[.]"

– AT&T (2013)

"[T]his spectrum is not below 3 GHz and therefore is not suitable at this time for mobile broadband."

– CTIA (2013)

"[T]he spectral location of the 3550–3650 MHz [band makes it] less suitable for mobile broadband applications."

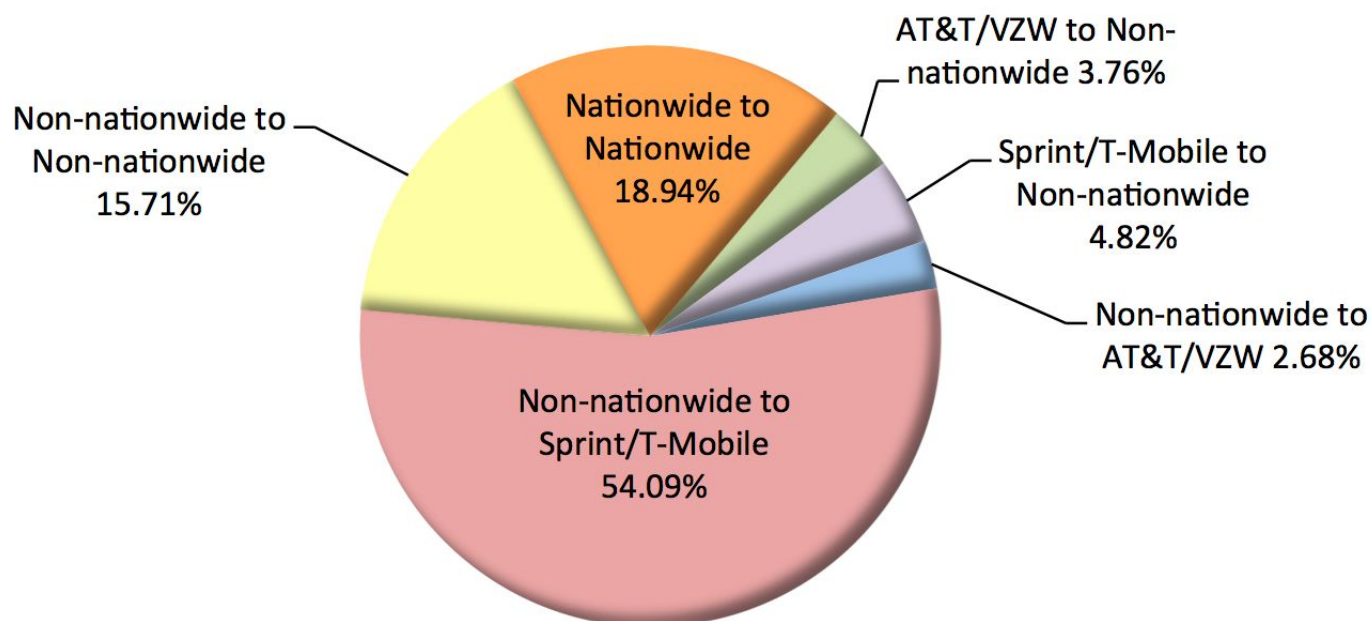
– T-Mobile (2011)

- Longer/renewable license terms lead to higher upfront costs that could exclude smaller participants from the auction and thus reduce auction proceeds

Secondary markets won't fix exclusionary rules

- CBRS R&O, ¶100: “Divesting large, unwanted swaths through secondary markets transactions could impose significant transactions costs”
- National carriers have little incentive to support new entrants or disruptive technologies by making their spectrum available on the secondary market
- Spectrum leases historically have promoted consolidation instead of diversification

MHz/POPs Leased, 2003-2010



Industry Has Resolved Issues Relating to Confidential Information

SAS providers & carriers have developed a mutually satisfactory legal agreement covering confidential data

- Model SAS-SAS agreement protects confidential information exchanged between administrators
 - Supported by AT&T, Comsearch, CTIA, Federated Wireless, Google, and Sprint
 - SAS recipient may not disclose confidential data (unless ordered by FCC/court), and may use the data only for frequency assignment and interference coordination
 - **CTIA:** “[T]he agreement ... provides the necessary protections for SAS customers’ proprietary and competitively sensitive information, as well as end users’ private information.”
- Outside of SAS operations, some level of information regarding CBRS deployments will be visible, and beneficial to the public
 - Released by operators themselves (e.g., <http://hotspots.wifi.comcast.com>)
 - Collected by third-parties (e.g., opensignal.com)