

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

*In the Matter of*

Use of Spectrum Bands Above 24 GHz For Mobile Radio Services

GN Docket No. 14-177

Amendment of Parts 1, 22, 24, 27, 74, 80, 90, 95, and 101 to Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services

WT Docket No. 10-112

**REPLY COMMENTS OF ECHOSTAR SATELLITE OPERATING CORPORATION AND HUGHES NETWORK SYSTEMS, LLC**

In their initial comments in this proceeding, EchoStar Satellite Operating Corporation and Hughes Network Systems, LLC (collectively, “EchoStar”) supported the Commission’s proposed licensing regime for Fixed-Satellite Service (“FSS”) earth stations operating in the 50.4-51.4 GHz (“50 GHz”) band as an appropriate approach to facilitate efficient spectrum sharing among services. EchoStar also urged the Commission to proceed to grant pending FSS space station and earth station applications in this band, subject to the outcome of this proceeding. Doing so will enable FSS operators to embark with confidence along the years-long process of designing, constructing, and deploying advanced satellite systems capable of delivering high-speed broadband and other services that consumers throughout the United States, including in areas underserved and unserved by terrestrial alternatives, need in order to help close the digital divide.

Nearly all those commenting on the Commission’s proposal urged the Commission to move forward expeditiously to adopt and implement FSS earth station licensing rules. This

included not only other satellites operators,<sup>1</sup> but also terrestrial mobile network operators and equipment manufacturers. For example, AT&T concurred with the Commission’s proposal, arguing that “[t]he regulations generally adopted for the 24 GHz band considered the needs of satellite users and established ground rules that permitted extensive deployment of new FSS earth stations, but also allowed commercial development of the bands for 5G services.”<sup>2</sup> Similarly, T-Mobile asserted that, “[w]hile the sharing frameworks for the 24 GHz, 28 GHz, and 47 GHz bands have not yet been implemented, their use presents a consistent approach across already allocated and, as T-Mobile has proposed here, additional millimeter wave bands.”<sup>3</sup> TIA also supported the Commission’s proposal to allow FSS earth station licensing in the 50 GHz band as a “reasonable compromise” that would allow spectrum sharing among services allocated in the band.<sup>4</sup>

Although two other commenters did not oppose adopting the Commission’s proposal for earth station licensing in the 50 GHz band, they urged the Commission to defer that step until it has first adopted UMFUS service rules for the band.<sup>5</sup> There is no need for such a delay, as the Commission merely proposes to extend to the 50 GHz band a spectrum sharing regime that has

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<sup>1</sup> See, e.g., Comments of The Boeing Company at 2 (“it is critically important for the Commission to provide access for individually licensed earth stations in the 50 GHz band pursuant to conditions that are no more restrictive than those that the Commission has already adopted for the 37.5-40.0 GHz and the 47.2-48.2 GHz bands”); Comments of Viasat, Inc. to Third Further Notice of Proposed Rulemaking at 5 (“Viasat supports the Commission’s proposal to allow satellite use of the 50.4-51.4 GHz band segment pursuant to the same sharing framework applicable to the 47.2-48.2 GHz band segment”). Unless otherwise noted, all comments cited in these reply comments were filed in GN Docket No. 14-177 on September 10, 2018.

<sup>2</sup> Comments of AT&T Services, Inc. at 16.

<sup>3</sup> Comments of T-Mobile USA, Inc. at 20.

<sup>4</sup> Comments of Telecommunications Industry Association at 7. See also Comments of Ericsson at 14 (“Ericsson does not oppose the proposal to permit licensing of individual FSS earth stations in the 50.4-51.4 GHz band using the criteria identical to those applicable in the 24.75-25.25 GHz band”).

<sup>5</sup> See Comments of CTIA at 14; Comments of Nokia at 4.

been found appropriate for FSS-UMFUS coexistence in other bands above 24 GHz. Moreover, delay would not serve the public interest in making intensive use of valuable spectrum resources, as it would create uncertainty among FSS operators who are trying to proceed with the long-range planning necessary to design, manufacture, and launch an advanced new generation of satellites. Such uncertainty could stymie this process and undermine the Commission's efforts to promote efficient and timely use of these valuable upper microwave spectrum bands.

The Commission has proposed a licensing regime for FSS earth stations operating in the 50 GHz band that will facilitate efficient spectrum sharing among services. That proposal has received widespread support from commenters. The Commission should proceed to adopt it expeditiously in order to provide satellite operators the regulatory certainty they need, and should also proceed to act on pending space station and earth station applications in this band so that they may move forward as quickly as possible to help close the digital divide by providing much-needed services in underserved and unserved areas of the country.

Respectfully submitted,

*/s/ Jennifer Manner*

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