



Meredith Attwell Baker

November 8, 2017

**VIA ELECTRONIC FILING**

Chairman Ajit Pai  
Commissioner Mignon Clyburn  
Commissioner Michael O’Rielly  
Commissioner Brendan Carr  
Commissioner Jessica Rosenworcel

Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation, Use of Spectrum Bands Above 24 GHz for Mobile Radio Services, GN Docket No. 14-177; IB Docket No. 15-256; RM-11664; WT Docket No. 10-112; IB Docket No. 97-95.**

Dear Chairman Pai, Commissioner Clyburn, Commissioner O’Rielly, Commissioner Carr, and Commissioner Rosenworcel:

America is engaged in a global race to develop and deploy the next generation of wireless technology, and CTIA has long championed sound spectrum and infrastructure policies to enable that future. CTIA understands that the Commission must carefully balance competing interests when making spectrum allocation decisions. The Commission struck such a balance with the framework adopted in the 2016 *Spectrum Frontiers Order* and is to be applauded for the diligence and expediency in which it is acting to further facilitate our 5G future in the second portion of this proceeding.<sup>1</sup>

---

<sup>1</sup> See *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, Second Report and Order, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, and Memorandum Opinion and Order, FCC-CIRC1711-02 (draft rel. Oct. 26, 2017) (“*Draft Second Order*”).



We are encouraged that the *Draft Second Order* takes steps to bring the 2016 bands to market and to identify additional bands for terrestrial mobile broadband use. We propose targeted revisions to the draft order to better reflect the importance of exclusively-licensed terrestrial mobile wireless services in helping the U.S. win the race to 5G. In particular, CTIA urges the Commission to ensure that its actions here do not foreclose future opportunities to allocate additional high-band spectrum for terrestrial, mobile wireless use—the key component of 5G.

The importance of wireless to our economy today and to the burgeoning 5G opportunity are hard to overstate. In the last decade, the U.S. has led in the development and deployment of mobile broadband services, enabling our nation's wireless industry to grow into a nearly \$400 billion a year economic engine that supports more than 4.6 million jobs.<sup>2</sup> And America's wireless companies are anticipated to invest \$275 billion to build the country's 5G networks.<sup>3</sup> This massive undertaking will create three million new jobs and add \$500 billion to the economy.<sup>4</sup> According to some estimates, 5G will drive \$2.7 trillion of new economic benefits to American families and businesses by 2030, creating an 11 percent increase in national economic output.<sup>5</sup>

These benefits have not gone unnoticed by our nation's business leaders. In a recent survey commissioned by CTIA of American business leaders across a wide range of industries, 80 percent of those surveyed responded that 5G would

---

<sup>2</sup> See Coleman Bazelon and McHenry, Giulia, *Mobile Broadband Spectrum: A Vital Resource for the U.S. Economy*, THE BRATTLE GROUP (May 2015), [https://www.ctia.org/docs/default-source/default-document-library/brattle\\_spectrum\\_051115.pdf](https://www.ctia.org/docs/default-source/default-document-library/brattle_spectrum_051115.pdf).

<sup>3</sup> See *Smart Cities: How 5G Can Help Municipalities Become Vibrant Smart Cities*, ACCENTURE STRATEGY (Jan. 2017), <https://www.ctia.org/docs/default-source/default-document-library/how-5g-can-help-municipalities-become-vibrant-smart-cities-accenture.pdf>.

<sup>4</sup> *Id.*

<sup>5</sup> See Mandel, Michael, *Long-term U.S. Productivity Growth and Mobile Broadband: The Road Ahead*, PROGRESSIVE POLICY INSTITUTE (Mar. 2016), [http://www.progressivepolicy.org/wp-content/uploads/2016/03/2016.03-Mandel\\_Long-term-US-Productivity-Growth-and-Mobile-Broadband\\_The-Road-Ahead.pdf](http://www.progressivepolicy.org/wp-content/uploads/2016/03/2016.03-Mandel_Long-term-US-Productivity-Growth-and-Mobile-Broadband_The-Road-Ahead.pdf).



positively impact their businesses and 70 percent believe that the U.S. must win the race to 5G to stay economically competitive.<sup>6</sup> Wireless is unique in its potential to revolutionize other businesses. No other segment of the telecommunications market has wireless's multiplier effect of driving greater innovation and productivity across all American industries.

Key elements of the *Draft Second Order* reflect the business community's widely-accepted understanding of the significance of 5G to the American economy. In particular, the item largely retains the originally adopted sharing framework governing use of high-band spectrum by mobile broadband and satellite services. Reaffirmation of the 2016 framework is critical at this juncture. It not only reflects the carefully negotiated balance between the interests of competing stakeholders, but it also ensures that wireless leaders who are developing plans to deploy products and services under the previously adopted rules can continue on their path to deployment as early as next year. To the extent the *Draft Second Order* proposes to allow additional satellite access in rural areas, CTIA suggests that satellite interests already have the same ability to purchase such rights through auction or secondary markets, making such changes unwarranted.<sup>7</sup>

Other portions of the *Draft Second Order* could be revised to better reflect the importance of exclusively-licensed terrestrial mobile wireless services in helping to drive the U.S. economy and provide global leadership. In particular, the item

---

<sup>6</sup> *Industry Leaders Believe U.S. Must Be a Global Leader in 5G Wireless for their Business to Stay Competitive*, CTIA Survey (Oct. 24, 2017), <https://www.ctia.org/industry-data/press-releases-details/press-releases/industry-leaders-believe-u.s.-must-be-a-global-leader-in-5g-wireless-for-their-business-to-stay-competitive> (reporting on a survey of business leaders in the healthcare, transportation, energy, and manufacturing industries conducted by Harris Poll and commissioned by CTIA); see also Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 14-177, *et al.* (filed Nov. 7, 2017).

<sup>7</sup> Particularly given the balance of spectrum made available for exclusive satellite use in the *Draft Second Order* combined with the spectrum previously available to the satellite industry, CTIA would strongly oppose any further relaxation of the Part 30 sharing framework.



enables satellite access to the majority of the spectrum identified in the item (four gigahertz) while providing 1.7 gigahertz for terrestrial wireless. Furthermore, that 1.7 gigahertz of terrestrial access would remain subject to sharing and future reevaluation, whereas the satellite industry would have exclusive access to its spectrum allocation. This proposed outcome broadly favors satellite operators at the potential expense of encouraging the expeditious deployment of 5G—a regulatory approach that stands in contrast to the Commission’s goals in these proceedings, the record in these proceedings, and, importantly, to the business realities of these two industries. With other countries moving forward to identify new terrestrial wireless options, the Commission should make clear that it intends to identify and allocate additional wireless bands in short order.

The wireless industry supports balanced spectrum policies and understands that every megahertz of spectrum is valuable to some business interest, particularly as we leave behind the days of “greenfield” spectrum access. However, with a national resource as critically important to the 5G future and our nation’s economic growth as high-band spectrum, serving the public interest requires more than attempts at even-handedness. Today, satellite has access to four times as much high-band spectrum as terrestrial mobile (48 percent as compared to 11 percent for licensed terrestrial wireless). CTIA continues to support the use of auctions to allocate spectrum and to allow market forces to guide decisions about spectrum uses. To the extent the Commission nevertheless seeks to direct allocations between terrestrial wireless and satellite uses, CTIA urges a greater focus on spectrum for licensed terrestrial mobile broadband use.

In this proceeding, the Commission has the opportunity to significantly advance the development of 5G. To that end, CTIA urges the Commission to move forward expeditiously to make available additional high-band spectrum for terrestrial mobile use.

*First*, given the urgency for action, the Commission should set a deadline of 2018 for moving forward with an auction of the bands made available in the *2016 Spectrum Frontiers Order* and the *Draft Second Order* and retain the core components of the 2016 framework.



Second, CTIA urges the Commission to clearly indicate its intention to move rapidly to allow use of other spectrum bands it identifies in the *Draft Second Order* as those that will be addressed in a “future phase of this proceeding”<sup>8</sup> and that have previously been proposed for potential 5G services<sup>9</sup> (i.e., the 32 GHz, 42 GHz, and 50 GHz bands). The Commission should make clear its intent to complete a third order in this proceeding within a fixed timetable.

Third, the Commission should seek expeditious comment on the use of the 26 GHz band that CTIA has previously suggested could be internationally harmonized for 5G purposes,<sup>10</sup> and it should not foreclose discussion of expanding the Part 30 framework to the remaining Local Multipoint Distribution Service (“LMDS”) bands, similar to the Commission’s actions regarding the 28 GHz band. The Commission recognizes that the LMDS bands require “further study,” and the further notice provides an appropriate vehicle in which to have those discussions on the record.

Finally, the Commission should work diligently to revise the rules for the 37-37.6 GHz band to promote greater investment in that band.

\* \* \* \* \*

CTIA appreciates the Commission’s recognition of the importance of next-generation wireless services to the economy, businesses, and consumers. We look forward to working with the Commission and industry stakeholders to promote the proven innovation and investment that has resulted from dedicating spectrum for the mobile industry.

---

<sup>8</sup> *Draft Second Order* ¶ 14, n.34.

<sup>9</sup> See Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 14-177, *et al.* (filed July 14, 2017).

<sup>10</sup> *Id.*



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.

Sincerely,

A handwritten signature in black ink that reads "M. Baker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Meredith Attwell Baker  
President and CEO