

November 8, 2018

**Ex Parte**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: *Transforming the 2.5 GHz Band*, WT Docket No. 18-120

Dear Ms. Dortch:

On Tuesday, November 6, 2018, John Schwartz and Mark Colwell of Voqal, Katherine Messier of the North American Catholic Educational Programming Foundation, Inc. (NACEPF), and I met separately with Will Adams, Legal Advisor to Commissioner Carr, and Umair Javed, Legal Advisor to Commissioner Rosenworcel. On Wednesday, November 7, 2018, John Schwartz and Mark Colwell of Voqal, Katherine Messier of NACEPF, Paul Caritj of Harris, Wiltshire & Grannis LLP, and I met separately with Rachel Bender, Legal Advisor to Chairman Pai, and the following representatives of the Wireless Telecommunications Bureau: Jonathan Campbell, Matthew Pearl, John Schauble, Catherine Schroeder, Blaise Scinto, Dana Shaffer, Nadia Sodos-Wallace, and Nancy Zaczek.

In these meetings, Voqal and NACEPF expressed appreciation to the Commission for initiating this proceeding, which has the potential to facilitate 5G wireless deployment and help close the digital divide, while advancing both commercial deployment and educational uses of this spectrum. The EBS band is already a critical part of the national wireless infrastructure, and we welcome to Commission's move to end the over 20-year freeze that has left EBS unused in large parts of the country.

Voqal and NACEPF explained how the Commission can best achieve its goal of intensive use of EBS spectrum while promoting both rural deployment and educational use by modernizing, but retaining, its educational eligibility and usage rules, and automatically rationalizing existing license areas along county lines for all licensees. With respect to unassigned EBS spectrum, we discussed how priority windows that give tribal and educational institutions a meaningful chance to participate will speed licensing and accelerate deployment. Such spectrum policy diversity—which allows educational licensees to partner with commercial providers—is critical to bridging the digital divide because commercial licensees, on their own, often lack sufficient incentives to deploy to unserved and underserved communities. Auctions, on the other hand, will significantly delay deployment. Auctions are also unlikely to achieve an efficient allocation of spectrum because many of the most desirable markets are already licensed, and these licensees are unlikely to participate in any incentive auction due to existing lease agreement obligations.

Finally, we emphasized that the Commission should not reduce or eliminate existing license areas when pursuing rationalization of existing license areas. Such a step would strand significant investments already made in providing EBS service, disrupt long-settled commercial agreements, and cause consumers to lose existing service.

Sincerely,



Stephanie Weiner  
*Counsel to Voqal and NACEPF*

Cc: Rachel Bender  
Umair Javed  
Will Adams  
Jonathan Campbell  
Matthew Pearl  
John Schauble  
Catherine Schroeder  
Blaise Scinto  
Dana Shaffer  
Nadia Sodos-Wallace  
Nancy Zaczek