



Advocates for Rural Broadband

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Filed Via ECFS

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

**RE: Request for Waiver of Citizens Broadband Radio License Transition Deadline
WT Docket No. 18-353**

Dear Ms. Dortch:

WTA – Advocates for Rural Broadband (“WTA”) supports the “Petition for Waiver” filed November 28, 2018, by the Wireless Internet Service Providers Association (“WISPA”) and the Utilities Technology Council (“UTC”) that is under consideration in the referenced docket. WTA agrees with WISPA and the UTC that Sections 90.1307(c) and (d), Sections 90.1338(a) and (b), and Section 96.21 of the Commission’s Rules should be waived to give existing 3650-3700 MHz licensees until January 8, 2023, to complete the transition of their operations to the Part 96 Citizens Broadband Radio Service (“CBRS”).

WTA did not participate during the earlier stages of this proceeding, but has recently become aware that some of its members have been using the 3650-3700 MHz band to provide fixed wireless broadband service to significant numbers of their rural customers and that these members are not going to be able to conform their operations to the Part 96 CBRS rules by the April 17, 2020 termination of the present transition period.

For example, a rural Kansas member has over 1,200 WiMax service customers receiving fixed wireless broadband service via the 3650-3700 MHz band. The member has determined that, assuming a normal Kansas winter, it will cost almost \$1 million to upgrade its existing 3650-3700 MHz transmission facilities and associated customer premises equipment (“CPE”) in order to use the Spectrum Access System (“SAS”) by April 2020. Similarly, a Colorado member that has over 300 subscribers receiving fixed wireless broadband service via the 3650-3700 MHz band, covering a serving area of over 2,500 square miles, has determined that, assuming a normal Colorado winter, it will cost almost \$250,000 to upgrade its existing 3650-3700 MHz transmission facilities and associated CPE in order to use SAS by April 2020.

The current CBRS transition schedule appears readily able to be relaxed, given that Auction 105 is not scheduled to begin until June 25, 2020, and that it will be many months thereafter before the auction is completed; long form applications filed, processed and granted; and winning bidders able to complete construction and commence service. At this time, existing 3650-3700 MHz users cannot reasonably invest substantial sums when they do not know whether they will win any of the Priority Access Licenses (“PALs”) in Auction 105, and the outcome of the auction will certainly have a bearing

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on spectrum utilization strategies, equipment purchases, and subscriber feasibility. Grant of the proposed waiver until January 8, 2023, would give the WTA members and others in the same circumstances sufficient time and information to determine which existing 3650-3700 MHz facilities should be upgraded to use SAS and which should not, and in the latter case make sure that existing facilities and services are not terminated before Auction 105 facilities and services are operational.

WTA notes some of the existing 3650-3700 facilities that are providing fixed wireless broadband services were constructed with Rural Utilities Service (“RUS”) funding. Grant of the requested waiver will protect these RUS-funded investments from being prematurely stranded.

Finally, WTA has become aware that the charges being developed for SAS access may not be as “reasonable” as its members were led to expect. For example, one large prospective provider appears to be quoting a charge of \$2.25 per subscriber per month for SAS services. This constitutes a substantial increase in monthly per-subscriber operating costs that will have to be passed through to customers.

Pursuant to Section 1.1206(b) of the Commission's Rules, this submission is being filed for inclusion in the public record of the referenced proceeding.

Respectfully submitted,
WTA – ADVOCATES FOR RURAL BROADBAND

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