

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Expanding Flexible Use of the 3.7 to 4.2 GHz Band)	GN Docket No. 18-122
)	
Expanding Flexible Use in Mid-Band Spectrum)	GN Docket No. 17-183
Between 3.7 and 24 GHz)	(Inquiry Terminated as to 3.7-4.2 GHz)
)	
Petition for Rulemaking to Amend and Modernize)	RM-11791
Parts 25 and 101 of the Commission's Rules to)	
Authorize and Facilitate the Deployment of)	
Licensed Point-to-Multipoint Fixed Wireless)	
Broadband Service in the 3.7-4.2 GHz Band)	
)	
Fixed Wireless Communications Coalition, Inc.,)	RM-11778
Request for Modified Coordination Procedures in)	
Band Shared Between the Fixed Service and the)	
Fixed Satellite Service)	

**OPPOSITION TO REQUEST FOR EXTENSION OF TIME TO FILE REPLY
COMMENTS**

The C-Band Alliance hereby opposes the Request for Extension of Time to File Reply Comments filed by the Dynamic Spectrum Alliance, the American Cable Association, Competitive Carriers Association, the Public Interest Spectrum Coalition, and the Wireless Internet Service Providers Association (“Petitioners”) and posted today in ECFS.¹ Delaying the above-captioned proceeding will slow the U.S. in the race to 5G, which contravenes the public interest. Moreover, the Commission released the Notice of Proposed Rulemaking in this proceeding almost four months ago, providing more than enough time for interested parties to

¹ Dynamic Spectrum Alliance, the American Cable Association, Competitive Carriers Association, the Public Interest Spectrum Coalition, and the Wireless Internet Service Providers Association, Request for Extension of Time to File Reply Comments, GN Docket No. 18-122 (filed Nov. 19, 2018) (“Petition”).

evaluate the issues and anticipate opposing arguments.² Filing the Petition a week before the November 27 reply comment deadline – and not immediately after the October 29 comment deadline – screams of gamesmanship and strains credulity. Accordingly, as the FCC routinely does not grant extension requests, the Commission must reject the Petition and allow this proceeding to move forward expeditiously.

“It is the policy of the Commission that extensions of time shall not be routinely granted,”³ and Petitioners have provided no compelling justification for it to do so here. If the U.S. is to lead the world in 5G innovation, the Commission must facilitate making additional spectrum—including mid-band spectrum—available as quickly as possible. To do so, the agency must conclude this proceeding expeditiously. Economic analysis in the record confirms the deleterious effects of delay.⁴ In addition, numerous commenters confirm that speed is of the essence for mid-band 5G deployment.⁵ Petitioners provide no compelling justification for pulling up on the reins, and the Commission should reject Petitioners’ request for an extension of time and proceed apace pursuant to the original reply comment period designated for this proceeding.

² *Expanding Flexible Use of the 3.7-4.2 GHz Band et al.*, Order and Notice of Proposed Rulemaking, GN Docket No. 18-122 et al., FCC 18-91 (2018) (the “NPRM”).

³ 47 C.F.R. § 1.46(a).

⁴ See The Brattle Group, “Maximizing the Value of the C-Band, Comments on the FCC’s NPRM to Transition C-Band Spectrum to Terrestrial Uses,” at 27.

⁵ See, e.g., Comments of AT&T Services, Inc., at 6; Comments of Cisco Systems, Inc., at 3; Comments of CTIA, at 3; Comments of Ericsson, at 2-3; Comments of Federated Wireless, Inc., at 4; Comments of the International Technology and Innovation Foundation, at 2-3; Comments of Nokia, at 2; Comments of Qualcomm, Inc., at 1-2; Comments of Verizon, at 1-2; Comments of the C-Band Alliance, at 9-10; Joint Comments of Intel Corporation, Intelsat License LLC, and SES Americom, Inc., at 6.

Petitioners assert that an extension is necessary because “[t]he NPRM raises a host of novel and complex issues.”⁶ To the contrary, interested parties have had more than adequate time in which to anticipate the arguments that would be made in the opening round of comments. The NPRM in this proceeding was released by the Commission on July 13, 2018. It was not published in the Federal Register until nearly 50 days later on August 29, 2018, with comments and reply comments due a full 60 and 90 days thereafter respectively. In addition, the subject matter of the NPRM is hardly new. Reallocation of the C-band has been discussed for some time – at the very least since the Commission released its Notice of Inquiry regarding mid-band spectrum in August of 2017.⁷ Moreover, the major proposals for reallocation set forth in the NPRM were made public well in advance of the release of the NPRM itself. Interested parties have had an abundance of time in which to craft their own arguments and anticipate those of others. And filing an extension request a week before the reply comment deadline, not immediately following comments, calls into question the justification proffered in the Petition. In short, additional time is unnecessary and, worse, is deleterious to the U.S.’s broad public policy objective of winning the race to 5G. China is not waiting for 5G and the U.S. should not either.

⁶ Petition at 1.

⁷ *Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz*, GN Docket No. 17-183, Notice of Inquiry, 32 FCC Rcd 6373 (2017).

For these reasons, the Commission should reject the extension request and maintain the current reply comment deadline.

Respectfully submitted,

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