



December 12, 2018

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

**Re: Citizens Broadband Radio Service
Comments Regarding Request for Waiver of CBRS Transition Deadline
WT Docket No. 18-353**

Dear Ms. Dortch:

JAB Wireless, Inc. dba Rise Broadband (Rise Broadband) submits these Comments to support the Petition for Waiver filed jointly by the Wireless Internet Service Providers Association and the Utilities Technology Council. The waiver seeks to extend the transition period for Part 90 3650-3700 MHz Service licensees from April 17, 2020 to January 8, 2023 so that grandfathered incumbent licensees have sufficient time to comply with the Part 96 rules. As discussed below, the additional time will enable Rise Broadband to budget for and schedule the tasks necessary for full compliance. Without additional time, Rise Broadband – the largest fixed wireless broadband provider in the country – may not have equipment, tower climbing crews, installation crews and other resources necessary.

As background, Rise Broadband is the largest provider of fixed wireless broadband services in the country. Through six license-holding subsidiaries, we serve primarily rural customers in 16 states, using unlicensed spectrum primarily in 5 GHz, licensed 2.5 GHz spectrum and “lightly licensed” spectrum in the 3650-3700 MHz band. We were strong proponents of opening up the 3550-3650 MHz band for commercial use.

We have registered our grandfathered locations in the FCC’s database: <https://opendata.fcc.gov/Wireless/ULS-3650-Locations-Default-View/dpvg-tvcx>. Accordingly, Rise Broadband has a strong interest in the outcome of this proceeding.

Based on the rules the FCC adopted in 2015, Rise Broadband made substantial investments in purchasing and deploying 3650-3700 MHz equipment. Our subsidiary Skybeam, LLC is deploying in the 3650-3700 MHz band to support our Rural Broadband Experiment projects in five states. Skybeam was awarded \$16.9 million for these projects, and our build-out is proceeding very well. We are also deploying 3650-3700 MHz spectrum equipment and broadband services in our existing networks, both to extend service to new areas and to densify networks where we are also using other bands. To date, we have spent millions of dollars deploying base stations in the band.



When Rise Broadband decided to make our sizeable investment in 3650-3700 MHz, we did so in reliance on the expectation that the equipment we are deploying in 3650-3700 MHz would be software upgradeable to operate under the CBRS rules in the entire 3550-3700 MHz band. That means we do not need to replace transmitters, customer premise equipment or any hardware in order to gain the benefits of the additional 100 megahertz of spectrum.

Although we hope our path to Part 96 compliance may be smoother than many in our industry that do not operate on equipment that can be software-upgraded to operate under the Part 96 rules, we remain subject to the delays that have hampered the development of the equipment and spectrum-sharing ecosystem. *First*, the FCC has not approved any Spectrum Access System or Environmental Sensing Capability to allow for commercial General Authorized Access (GAA) use. Lab testing is underway to be followed by Initial Commercial Deployments; if the process goes smoothly, I understand that GAA will be available in a few months. *Second*, once that occurs, the supply chain will need to build up so that software downloads, and where needed, new access points and CPE, can be provided to grandfathered locations. Even assuming this happens in a few months, this will leave little time for grandfathered incumbents to convert their operations to Part 96 rules. This will be exacerbated by the fact that some equipment manufacturers may not have FCC certification under Part 96 and that certified professional installation may not be ready. *Third*, where installation of new equipment is required, that means that tower crews and home installation crews need to be scheduled. That all in the industry will be endeavoring to accomplish these tasks in just one year creates the very real possibility that the job cannot be accomplished before April 2020.

The additional time requested in the waiver will give Rise Broadband additional time to acquire compliant equipment (either hardware or software), ensure that our locations meet professional installation requirements, and schedule tower climbing and end-user installation (where necessary). Also, we can pay for this over the course of three years – not just one or two – freeing up capital for network expansion, densification, and other customer benefits.

We appreciate the opportunity to urge the FCC to grant the requested waiver.

Sincerely,

/s/ Jeff Kohler

Jeff Kohler

Co-Founder and Chief Development Officer