

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Wireless Internet Service Providers)	WT Docket No. 18-353
Association and the Utilities Technology)	
Council, Petition for Waiver of Citizens)	
Broadband Radio Service Transition Deadline)	

To: Chief, Wireless Telecommunications Bureau

**COMMENTS OF ATN INTERNATIONAL, INC.
IN SUPPORT OF WAIVER REQUEST**

ATN International, Inc. (“ATN”), by its attorneys and pursuant to the Commission’s Public Notice, *Wireless Telecommunications Bureau Seeks Comment on Wireless Internet Service Providers Association and Utilities Technology Council Request for Waiver of Citizens Broadband Radio Service Transition Deadline*, DA 18-1206 (WTB, rel. Nov. 27, 2018) (“Comments Notice”), hereby submits these comments in support of the petition for waiver filed October 4, 2018. In the Comments Notice, the Commission asks for comment on a proposal by the Wireless Internet Service Providers Association (“WISPA”) and the Utilities Telecom Council (“UTC”) to extend the transition period with respect to existing Part 90 licenses in the 3.65-3.7 GHz band, such that those licenses would all expire without further renewal on January 8, 2023, rather than various earlier dates beginning April 17, 2020 (the “Waiver Request”).

ATN, a publicly-traded holding company, is the parent of a family of companies which provide wireless and broadband services across rural, remote and insular parts of America that otherwise would not have access to modern telecommunications services. Two such ATN subsidiaries, SAL Spectrum, LLC (“SAL”) and Choice Communications, LLC (“Choice”), hold incumbent Part 90 non-exclusive licenses in the 3.65-3.7 GHz band, through which a number of

ATN operating companies provide broadband service in areas that otherwise would not have such service. SAL holds call sign WQJQ571 (current expiration date is April 17, 2020), pursuant to which ATN operates several dozens of base station locations serving rural and tribal broadband subscribers across the southwestern United States. Choice holds call sign WQNQ471 (current expiration date is January 30, 2021), through which ATN provides service via numerous base stations in the U.S. Virgin Islands, which is still recovering from two Category 5 hurricanes that devastated the territory and its telecommunications networks in 2017.¹ Therefore ATN has a material interest in the outcome of this proceeding, as well as knowledge of the state of the industry.

Premature termination of the ATN Part 90 authorizations, prior to the launch of the new CBRS regime, would force its operating affiliate companies that utilize this spectrum to shut down broadband service in this band while it waits for the Commission to develop the new regulatory regime. That, in turn, would be a tremendous setback not only for the ATN companies that provide broadband service over this spectrum, but for the rural and tribal subscriber base that relies on those service providers for their broadband service.

Additionally, premature termination of the ATN Part 90 authorizations, prior to launch of the new CBRS regime, would also affect those who otherwise would be able to subscribe to broadband service as these companies construct additional base stations in this band. Specifically, several ATN subsidiaries have submitted bids in reverse auction 903 (Connect America Fund-II, or “CAF-II”), and have indicated in their respective post-auction long-form

¹ In addition to SAL and Choice, other direct or indirect subsidiaries of ATN include (wholly-owned) Commnet Wireless, LLC and Virgin Islands Telephone Corporation dba Viya, and (partially-owned) NTUA Wireless, LLC.

applications that they intend to perform their CAF-II service obligations by utilizing CBRS spectrum.² If the launch of the new CBRS regulatory regime is delayed, but the sunseting regulatory regime of Part 90 licenses is not therefore extended during the transition, the band will become completely off-limits, delaying the launch of service pursuant to CAF-II.

Accordingly, it is manifestly in the public interest to ensure there is no gap in licensing, and no concomitant disruption of service to subscribers.

The best way to avoid such subscriber disruption is to extend the term of the current Part 90 licenses, including call signs WQJQ571 and WQNQ471, to and through January 8, 2023. ATN believes the Commission can implement this change by just modifying each of the involved licenses automatically in ULS, as the publication of the Comments Notice has placed the public on notice of the potential change, in accordance with Section 316 of the Communications Act of 1934 as amended (“Act”), and any objections would have to be voiced as part of the instant comment process.

If the Commission thinks otherwise, then the Commission should at least decide that it will allow all such Part 90 licensees (again, including ATN subsidiaries) to submit short-term renewal applications for a renewal term to go through January 8, 2023. And in either event, the Commission should allow such licensees to continue to register additional locations in ULS during the period ending January 8, 2023.

² The specific census blocks where ATN subsidiaries have stated an intention to use the CBRS band to fulfill their obligations is confidential. However, the WTB staff has access to the various Form 683 long-form applications, and can confirm the accuracy of what is being set forth in these Comments.

Respectfully submitted,
ATN INTERNATIONAL, INC.

/s/

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