



December 27, 2017

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

Re: Citizens Broadband Radio Service
GN Docket No. 17-258

Dear Ms. Dortch:

JAB Wireless, Inc. dba Rise Broadband submits these Comments in regard to the Notice of Proposed Rulemaking and Order Terminating Petitions Released October 24, 2017. The FCC has sought comment on several proposed changes to the rules governing Priority Access Licenses (PALs) that will be issued in 3550-3770 MHz band including longer license terms, renewability and larger geographic license areas. As stated in the NPRM, the hope for the 3.5 GHz band is to create incentives for investment, encourage efficient spectrum use, support a variety of different use cases, and promote robust network deployments in both urban and rural areas.

Rise Broadband provides a fixed wireless service to 170,000 homes and small businesses primarily in rural areas of America often underserved by wireline carriers. We provide speeds up to 100 Mbps to the home utilizing a combination of unlicensed and licensed frequencies including those in the adjacent “lightly licensed” 3.65 GHz band. We are one of thousands of small businesses providing broadband service to communities that otherwise have little to no choice in service providers.

We were encouraged by the initial set of rules set forth by the FCC for access to this new band of LTE-grade spectrum. It is exactly the frequency that suits small businesses like ours as the lower band propagates better than other unlicensed bands which greatly improves connectivity without sacrificing speed or capacity. Given the spectrum’s worldwide use there is an equipment ecosystem we can draw on that is accessible and affordable. And most importantly, the FCC’s initial set of rules granted an opportunity to businesses of all size the option acquire protected spectrum to enhance and expand its services.

Rise currently serves over 12,000 customers in the 3.65-3.7 GHz band and has also demonstrated great success with our experimental 3.5 GHz license which is currently providing 100 Mbps speeds to homes and businesses. We have invested nearly \$10 million in this band based on its favorable propagation characteristics, ability to deliver high capacity / high speed service, its software-upgradable platform which mitigates capex exposure when increasing speeds to end-users, and most importantly, the rules set forth in 2015 allowing access to Priority



Access Licenses which would afford a level of protection to our broadband services at a reasonable cost. In addition, ten markets currently under construction utilizing funds from the FCC's Rural Broadband Experiment are all 3.65 GHz LTE deployments.

The 3.65-3.7 GHz band is reliable spectrum for high speed, high capacity and low latency services on both standards-based and non-standards based network technology. In fact, it has been so successful we are finding the 3.65-3.7 GHz band overcrowded in many areas and in need of expansion to continue to provide these high-quality services. The current proposed CBRS rules allow for 70 of the 100 MHz of the additional spectrum to be utilized on a PAL basis, which only leaves 30 MHz of additional spectrum for GAA use. Given our experience witnessing the swift utilization of the 50 MHz in 3.65-3.7 GHz band, this additional 30 MHz is helpful, but will likely be saturated quickly. Affordable PALs will allow access to this additional 70 MHz of spectrum by smaller operators to make meaningful, long term advances in provisioning broadband services with an enhanced level of service reliability and predictability, and will promote investment by financial institutions that take comfort in investing in licensed spectrum operations.

The main features of PAL affordability include licensing by census tracts. To a small business this means we can obtain licenses only where we plan to deploy service. This, coupled with a three-year term, means the spectrum will be both affordable and flexible, allowing us to invest and renew as we go without having to ante up millions or billions of dollars as an entry fee. The FCC proposal to extend auctions to geographic areas the size of Partial Economic Areas (PEAs) on ten year terms with a renewal expectancy essentially takes businesses like ours out of the running for protected spectrum and hands it to the same few carriers that control it across our country today.

The mobile carrier argument that America's leadership in 5G relies on 3.5 GHz spectrum licensed by long term, large geographic areas with expected renewals is skewed. 5G's success does not rely on specific spectrum bands, nor is it a technology exclusive to mobile carriers. It is an agnostic radio technology that will enable greater speeds and capacity with lower latencies in all bands across fixed and mobile applications. Companies like ours will be innovating and deploying 5G radios right alongside the mobile carriers.

23 million Americans in rural areas do not have access to broadband services, and nearly 50% only have the choice of one provider. Thousands of small businesses like ours serve millions of subscribers in rural America which drive their local economies, employs a local workforce, and gives them access to services they might not otherwise have. Why would the Commission even consider taking this spectrum opportunity away from the people that live and work in these communities and make it available to only multi-billion dollar companies clearly focused on densifying networks in cities and populous suburbs? Will they utilize 3.5 GHz in densely populated metropolitan areas? Absolutely. Will they utilize 3.5 GHz spectrum in areas where fewer people live? Not in the foreseeable future.



The current rules allow for exactly what the Commission set out to do. It has created an incentive for service providers to invest; it has encouraged efficient spectrum use because our deployments are immediate and targeted; it supports a variety of different use cases because our priority network builds are exactly where large operators will possibly never go, and the existing rules already promote robust network deployments in both urban and rural areas.

Don't strand our investment. Allow us to continue to deploy robust broadband services to areas of the country ignored by large service providers. Allow small business to continue to invest in rural America and provide services that are the fundamental for economic development. The digital divide closes when rural America has broadband and a choice among service providers as that is the driver of high quality service and affordable pricing.

We appreciate the opportunity to present our views regarding this important proceeding.

Sincerely,

/s/ Jeff Kohler

Jeff Kohler, Co-Founder & Chief Development Officer
JAB Wireless, Inc. dba Rise Broadband