

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of

Promoting Investment in the 3550-3700 MHz Band

GN Docket No. 17-258

Petitions for Rulemaking Regarding the Citizens Broadband Radio Service (CBRS)

RM-11788 (Terminated)

RM-11789 (Terminated)

To: The Commission

**COMMENTS OF
EMERALD HARBOR COMMUNICATIONS**

Emerald Harbor Communications, though the founders have been in the industry for over 22 years we only recently entered the Florida panhandle market in the fall of 2017. We are a fixed wireless broadband internet service provider (WISP). Our goal is to provide the businesses and residences of our area an alternative option for Internet Services.

This brings us as to why we are submitting our comments, we have a need and a use for LTE Bands 41, 42, 43 and the soon to be opened Band 48, also known as CBRS. As we understand it, we agree with the April 2015 Report and Order (R&O), which created the Citizens Broadband Radio Service. The three-tiered spectrum-sharing and allocation system will produce the most efficient methods to assign spectrum. We also strongly feel the R&O will enhance competition and innovation, ultimately leading to rapid nationwide broadband infrastructure deployment based on interoperable LTE equipment like never before. There won't be an industry, municipality, educational facility or consumer that won't be affected positively by this R&O. For this reason, Emerald Harbor Communications has to oppose the proposed changes in this NPRM that would affect Priority Access Licenses (PALs).

The NPRM changes would only favor large ISPs and reduce the ability for the hundreds and hundreds of smaller ISPs the ability to compete and offer underserved areas much needed broadband services. We and our fellow WISPs fully intend to invest in our infrastructures that include these bands. Please do not choke us out of that option.

It is crucial to the survival of our WISP industry that we are able to purchase spectrum licenses on a local basis such as Census Tracts to many industries and market sectors. And with complex IOT needs in the near future, our needs for these bands will only help us enhance our network security and licensed spectrum certainty. It is essential to retain the Census Tract based Priority Access Licenses as written in the 2015 R&O. The record is replete with comments from entities which agree with this declaration. Census Tract based competitive bidding for PAL licenses is a must, especially for rural areas and rural ISPs and WISPs. Those requesting that PALs be assigned by Partial Economic Areas (PEAs) are limited to the mobile carriers and supporting associations and business partners. By expanding the license areas from census tracts to PEAs, the cost to acquire licenses will be significantly higher and out of reach for smaller companies who want to acquire spectrum for their business model. The goal is apparent – to eliminate competition in the PAL auction and to maintain command and control of the licensed airwaves dedicated to broadband deployment. By eliminating competition, the result likely be lower prices for the PAL licenses, something basic economics tells us is true. Also, eliminating competition in the auction, mobile operators will prevent many private LTE networks from encroaching on a potential multi-billion dollar market. The record is apparent that the contemplated changes are unacceptable, especially at such a late date in the proceeding. There's nothing preventing mobile operators from participating in a Census Tract based auction, just like every other American company and public entity. Because of this fact, there is no reason the FCC Commissioners should grant the request for change to PEA sized PAL areas.

Broadband technologies and network deployments are very dynamic. Therefore, the regulatory scheme should also maintain a flexible, dynamic framework in regard to PAL license terms. The FCC is proposing 10-year license terms with easily renewable licenses. We believe this is not in the best interest of the country, especially rural broadband. Such rule changes would cause additional inefficient spectrum warehousing. Increasing license term lengths will also cause higher license bid prices at an initial and perhaps only auction (but for fewer auction lots), again eliminating potential competition to the benefit of the few mobile carriers. The FCC should maintain a 3-year term or adopt a modest increase to a 5-year license term, with the option to double the term at the first auction. Once again, there is nothing preventing the mobile carriers from participating in the PAL auction under shorter license terms rules.

Spectrum is both a critical resource and a limited one. We need to creatively maximize what's available. As the demand for spectrum continues to increase, it is very important to allocate spectrum fairly to the entire marketplace. We must let market dynamics dictate the future. The FCC should not choose winners and losers in today's broadband environment. Doing so will inhibit innovation and consumer choice. We should "leave no stone unturned" as we search for new and innovative ways to use our limited spectrum to enhance the future's broadband. This search should include the entire market, not just a few. The 2015 CBRS R&O achieves these goals.

As a Wireless Internet Service Provider company, we embrace all technology that replaces outdated and inefficient methods of performing tasks. The SAS database and modern auction formats are two such technological advances the FCC must embrace. Modernizing spectrum allocation techniques should be an apparent need for every FCC Commissioner and staff. Historical policies and procedures seem easier to existing regulatory staff and policy makers, but we must not let our regulatory processes be mired in quicksand.

In closing, it should be the goal of the FCC and other agencies to help rural companies such as ours to provide fair broadband services to rural areas. Our current customer base recognizes these characteristics of our company and our services. We expect the coming years to be exciting for both our company and our growing number of customers in the panhandle of Florida. We often receive compliments and words of encouragement for being an alternative ISP to the big companies and because we offer local support to our customers and to our community. Ultimately, consumers will be the beneficiaries of increased competition, innovation and services. Isn't that what it is all about?

Emerald Harbor Communications strongly suggests the FCC to keep the original PAL rules intact.

Respectfully submitted,

Emerald Harbor Communications LLC.,

By

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