

December 28, 2017

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, NW
Washington, D.C. 20554

Re: In the Matter of Promoting Investment in the 3550-3700 MHz Band; GN Docket 17-258; Comments of CNSP, Inc. d/b/a NMSURF

Dear Ms. Dortch,

CNSP, Inc. d/b/a NMSURF is a fixed wireless broadband provider submitting these comments to oppose the proposal to expand priority access license (PAL) areas from census tracts to partial economic areas (PEAs), and to oppose the proposal to increase the length of a PAL term from three to ten years.

NMSURF leverages its innovative and efficient fixed wireless broadband network to serve both rural and urban communities in New Mexico, including those in Santa Fe, Albuquerque, Espanola and many smaller surrounding towns and localities. A locally owned and operated business, the company currently provides fixed wireless broadband service to thousands of customers in its service area.

The company offers broadband services beginning at 1.5 Mbps all the way up to 25 Mbps. Our backhaul services are provisioned using licensed 11GHz and 18 GHz spectrum. We provision our last mile services largely over unlicensed spectrum in the 900 MHz, 2.4 GHz, 5 GHz and 60 GHz band. In the near future, the company will also expand the reach of its network and supplement the fixed wireless offering with a fiber-based network and service delivery platform which will enable the provision of services to certain customers of speeds up to 1 Gbps to its 60 GHz customers and 100 Mbps to its 5 GHz customers

For the last several years we have been using the 3650-3700 MHz band in some areas of our service territory to reach a small number of our customers. In addition to the unlicensed spectrum in the 900 MHz, 2.4 GHz, 5 GHz and 60GHz band, NMSURF has invested in, and deployed, LTE equipment capable of transmitting over the 3.65 GHz band to reach customers in the most remote areas served by the company. Our investment in this equipment was premised, in part, on our ability to continue to use the equipment (with only minimal modifications) in the newly available CBRS band.

In addition, if the Commission maintains its current regulations (and the size of PAL license areas) we anticipate making further investments in new equipment to utilize the CBRS band to reach additional customers in rural, remote areas. In our view, the CBRS band presents the single most significant potential new spectrum platform for smaller providers serving rural

areas, like NMSURF. The 150 MHz of additional mid-band spectrum that may soon be made available in the CBRS band will dramatically increase our ability to provide reliable high-speed broadband to residents of New Mexico that currently have few, if any, other options.

However, should the Commission expand the size of PALs from census tracts to PEAs, our ability to utilize this spectrum will be compromised. As a smaller provider with a higher percentage of fixed costs (relative to large ISPs) we necessarily must provision service in smaller geographic areas. Unlike large ISPs or mobile providers, we do not normally serve a geographic area as large as a PEA. Instead, our services are usually delivered in smaller geographic areas, which allow us to provide tailored solutions that serve the needs of residents and small businesses in many rural and remote areas in New Mexico. If the Commission modifies its rules to issue PALs only on a larger geographic area (a PEA), our ability to compete in the PAL auction will be dramatically reduced. In short, we will likely be priced out of the market by larger providers.

Similarly, if the Commission extends the term of the PAL license to ten years, and includes a renewal expectancy, it will be much more difficult for smaller providers like NMSURF to acquire spectrum necessary to deliver broadband to rural communities in New Mexico, and across the country.

For these reasons NMSURF opposes the proposals to increase the size of PALs to the size of a PEA, and to extend the term of the licenses to ten years (with a renewal expectancy). The Commission should, instead, maintain its current rules and continue its work to quickly release this additional much needed spectrum to providers willing to deliver broadband to the unserved and underserved rural areas in our nation. Thank you for your consideration of these comments.

Sincerely,

/s/ Albert Catanach

Albert Catanach

President

CNSP, Inc., dba NMSURF

CW3, Retired

US Army