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December 28, 2017

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554  
VIA ECFS

RE: GN Docket No. 17-258

Dear Ms. Dortch:

Aristotle Unified Communications submits these Comments to the October 24, 2017, Notice of Proposed Rulemaking and Order Terminating Petitions regarding proposed changes to the rules governing Priority Access Licenses (PALs) that will be issued in the 3550-3700 MHz band (the “3.65 GHz band”). These proposed changes include longer license terms, renewability, and larger geographic areas.

Aristotle is a small wireless internet service provider (WISP) headquartered in Little Rock, Arkansas, which provides service to unserved and underserved communities in Central Arkansas. We currently depend on our grandfathered 3.65 GHz licenses to provide internet access to four communities, both urban and rural, including businesses in downtown Little Rock.

The NPRM’s stated goals for the 3.65 GHz band are 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. These goals will be best met by retaining the initial set of rules for the 3.65 GHz band.

*Proposal to Increase the PAL License Term from Three years to Ten Years*

Aristotle does not support extending the license term to ten years. A longer license term will necessarily make PALs more expensive and will reduce incentives for larger carriers to make efficient use of the spectrum once obtained.

*Renewability versus Reauctioning*

Aristotle supports license renewability where a provider is actively using the spectrum. Where a provider no longer is using the spectrum, that spectrum should return to an auction pool. This blended solution will provide greater fluidity in spectrum availability, will ensure that the spectrum is utilized where licensed, and will limit the ability of carriers to warehouse 3.65 GHz spectrum in areas where they are no longer using the band.

*Increasing Geographic PAL Licensing Areas from Census Tracts to PEAs.*

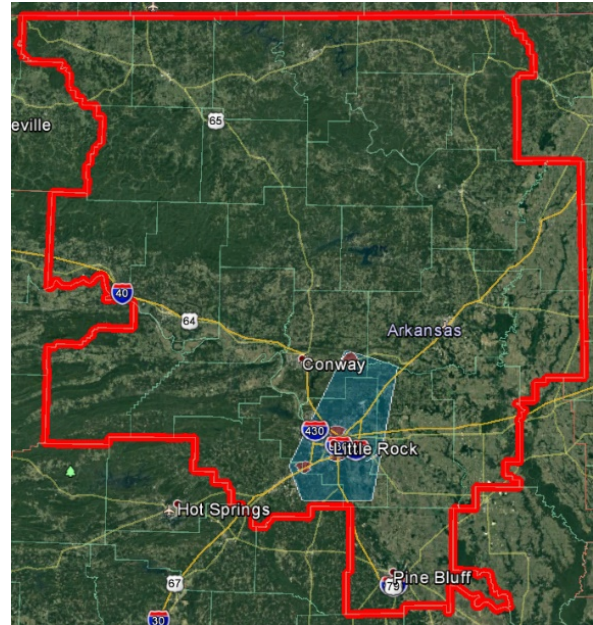
Retaining census tracts as the licensing area for PALs is the best way to ensure investment in the 3.65 GHz band. Moving to Partial Economic Areas (“PEAs”) would effectively prevent smaller providers from

participating in a 3.65 GHz spectrum auction in a meaningful way, which would, in turn, undermine the Commission's stated goals for the band.

The below image demonstrates why PEAs would run counter to the goals of investment and efficient spectrum use. In this image, Aristotle's entire network is represented by the light blue area, and Aristotle's grandfathered 3.65 GHz license areas are shown in pink. The red line is the boundary of the relevant PEA.

The PEA covers 27 counties that are served by six major telecommunication companies, several rural telephone companies and Co-ops, four WISPs, and multiple mobile carriers. Even with all of those companies providing internet service, not every resident or business has quality internet access or cellular coverage because of the terrain, small dispersed populations, and the national forest.

Service to this entire economic area would cost hundreds of millions of dollars and require substantial federal paperwork, and, in all likelihood, many of the areas outside the urban and population centers would remain unserved. In the meantime, smaller providers, who would deploy broadband to the rural and underserved areas, would be precluded from using the 3.65 GHz spectrum due to the license-holder's excessively large license area.



Finally, the cost to bid on these larger areas, which will necessarily include both rural and urban zones, will increase substantially, effectively foreclosing participation from smaller providers. The FCC and providers are familiar with census tracts and blocks both for other auctions and for reporting. There is no reason for the FCC to increase the license area to PEAs in this instance.

Continuing to use census tracts will allow PALs to be affordable to small businesses, like Aristotle, which will be able to obtain licenses only where we plan to deploy service. It would be a disservice to the 23 million rural Americans who do not currently have broadband service to foreclose the very businesses that will bring them broadband by creating geographic areas that would only be affordable to the larger providers. Moving to PEAs will ensure that only large providers will have access to PALs. Those providers will deploy first in the urban areas as they have historically always done, and rural Americans will find that they have once again been foreclosed from participation in the broadband economy.

The argument made by mobile carriers that America's leadership in 5G is dependent on long-term licenses that cover large geographic areas is misguided. 5G networks are not the province of the mobile industry. 5G is an agnostic radio technology that enables greater speeds and lower latency, but it is not dependent on a particular technology or spectrum band. Fixed providers, like Aristotle, will deploy 5G networks alongside the mobile carriers. The FCC should not consider limiting the ability of fixed providers to participate in the 5G future by restricting access to the 3.65 GHz spectrum, either directly or by creating rules that make PALs too expensive for smaller providers to afford.

Earlier this year, Aristotle signed a Memorandum of Understanding to deploy broadband in the ten counties that make up the Southeast Arkansas Economic Development District (SEADD). The counties in SEADD represent some of the most underserved and unserved areas of Arkansas. Key to successfully bringing broadband to these historically-difficult-to-deploy areas is access to spectrum that has the ability to deliver high capacity, high speed service with favorable propagation characteristics. Access to Priority Access Licenses for the 3.65 GHz band would provide this much-needed capacity and would ensure that the residents of the SEADD counties have access to broadband at comparable speeds and prices to their urban counterparts. The current rules for the 3.65 GHz band provide the best opportunity for Aristotle to achieve this goal by making participation in an auction of 3550-3700 MHz band PALs feasible.

The current rules have created an environment that has fostered innovation, investment, and efficient spectrum use. Maintaining the current rules will continue to foster this investment and innovation.

Thank you for considering our submission.

Best Regards,



L. Elizabeth Bowles  
President & Chairman of the Board  
Aristotle, Inc.  
Aristotle Unified Communications, Inc.