

July 8, 2015

VIA ELECTRONIC FILING

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

Re: *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Comment Sought on Defining Commencement of Operations in the 600 MHz Band (GN Docket No. 12-268); Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002 (AU Docket No. 14-252); Office of Engineering and Technology Seeks to Supplement the Incentive Auction Proceeding Record Regarding Potential Interference Between Broadcast Television and Wireless Services (ET Docket No. 14-14); Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and Amendment of Part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap (ET Docket No. 14-165); Promoting Spectrum Access for Wireless Microphone Operations (GN Docket No. 14-166)*

Dear Ms. Dortch,

On July 8, 2015, Scott Bergmann, Brian Josef, and Krista Witanowski of CTIA – The Wireless Association® (“CTIA”), and Tom Dombrowsky of Wiley Rein, met with Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly, and separately with Matthew Berry, Chief of Staff to Commissioner Ajit Pai and Brendan Carr, Legal Advisor to Commissioner Pai to discuss issues in the above-captioned proceedings.

CTIA explained that the incentive auction represents a critical opportunity for the Commission to make available much-needed spectrum for mobile broadband use. As the Commission finalizes its procedures and rules governing the incentive auction, CTIA urged the Commission to consider several key goals. First, the auction should have clear rules and procedures that will encourage interested broadcasters to participate with confidence. Second, it should clear as much spectrum as possible for new licensed wireless services in the 600 MHz band. Third, it should provide forward auction bidders with the information to make informed choices regarding future spectrum investments. And finally, a successful incentive auction should result in the auctioning of wireless licenses that are minimally impaired and can be productively used by wireless licensees.

CTIA reiterated its call for the development of an impairment cap that would better ensure a near-nationwide band plan for the 600 MHz band. CTIA noted that, while a certain degree of impairment to 600 MHz licenses is inevitable, the Commission’s originally-proposed 20 percent threshold would result in significant impairment and, as such, this standard should be

revisited. The Commission's recent *Auction Simulation Public Notice* is a positive step in this regard as it has the potential to produce robust near-nationwide band plans with lower nationwide impairment based on a sliding impairment scale. In general, the Commission should strive to minimize impairments while balancing the need to maximize the amount of spectrum recovered.

In addition, CTIA stressed that the Commission should provide forward auction bidders the time and data necessary to make informed decisions that reflect their individual spectrum needs and strategies. First, CTIA urged the Commission to provide sufficient inter-service interference data, including detailed information on the television stations causing potential interference well in advance of the forward auction. For example, CTIA asked that the FCC provide bidders with information on potential impairments as early as possible, including preliminary data once participants in the reverse auction are known. Providing robust information to interested bidders will help them make informed decisions regarding spectrum assets and increase the likelihood of a successful auction. CTIA noted the importance of providing access to such information in an easily-accessible format and early enough in the process that bidders will be able to make informed decisions. Specifically, CTIA asked that the FCC release the file formats for the files it will provide bidders during the auction well before the applications are due. In addition, the Commission should ensure that its proposals do not sacrifice informed decision-making in favor of auction speed. Finally, the Commission should adopt activity rules that accommodate the needs of bidders and do not unduly burden them as they make key decisions regarding their auction participation.

Finally, CTIA highlighted the importance of efforts to minimize the complexity of the auction overall, and explained the need to provide bidders in the forward auction with certainty regarding their rights to timely and effective access to spectrum won at auction. Actions that create undue complexity for forward auction bidders have the potential to depress bidding and undermine the Commission's and Congress's goal of reallocating additional spectrum for mobile broadband services. CTIA urged the Commission to provide future licensees with the necessary assurances that their operations will be fully protected from harmful interference, and to reduce unnecessary regulatory burdens placed on 600 MHz wireless licensees that may hinder their expeditious access to spectrum.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter is being electronically filed via ECFS. Please direct any questions to the undersigned.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann
Vice President, Regulatory Affairs
CTIA – The Wireless Association