

November 23, 2015

VIA ELECTRONIC FILING

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

Re: Notice of *Ex Parte* Presentation

GN Docket No. 14-177, RM-11664, Use of Spectrum Bands Above 24 GHz for Mobile Radio Services

Dear Ms. Dortch:

On November 19, 2015, Davidi Jonas, President and CEO, and Jerry Pi, Chief Technology Officer, of Straight Path Communications, Inc. (“Straight Path”) and the undersigned counsel conducted a single meeting with the following members of the Commission’s staff regarding the above referenced proceeding:

- Blaise Scinto, Wireless Telecommunications Bureau
- John Schauble, Wireless Telecommunications Bureau
- Charlie Oliver, Wireless Telecommunications Bureau (by phone)
- Stephen Buenzow, Wireless Telecommunications Bureau (by phone)
- Michael Ha, Office of Engineering and Technology
- Jose Albuquerque, International Bureau
- Steven Carpenter, Public Safety and Homeland Security Bureau

As an initial matter, we noted Straight Path’s strong support for the Commission’s issuance of the Notice of Proposed Rulemaking (“NPRM”) that envisions the adoption of regulations that will permit mobile operations in the millimeter wave band. Straight Path applauds the Commission’s efforts taking a leadership position in designating millimeter wave bands in which mobile operations can be introduced. The release of the NPRM, adoption of the proposed rules, and the U.S. position at the ongoing World Radiocommunication Conference will help ensure that the U.S. will retain a leadership position in fifth generation (“5G”) wireless technologies.

While Straight Path supports the adoption of most of the rules contemplated in the NPRM, we expressed concern regarding several of the proposed regulations. We asserted that the proposed size of the geographic area licenses in the Upper Microwave Flexible Use Service is too small for two reasons. First, over 3,000 county-based licenses (assuming one license per county) would be difficult to administer, and second, the need to adhere to co-channel interference limits at geographic area borders may unnecessarily limit the utility of the spectrum. We noted that

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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these concerns would be compounded if the Commission adopts, as it proposed, a band plan at 39 GHz that would produce 14 licenses in each of 3,143 counties. We therefore urged the Commission to adopt a licensing scheme that features larger geographic areas and spectrum blocks. We also recommended that the Commission adopt a pre-auction “swap” period during which licensees could exchange spectrum blocks in-market in order to secure authorization for larger spectrum blocks, which would also facilitate the Commission auctioning larger spectrum blocks.

We expressed concern about the potential shared use of millimeter wave spectrum between terrestrial and satellite services. We noted that satellite downlink transmissions cannot be limited to the county-based licensing area that the Commission proposes, or even the larger geographic area authorization that Straight Path recommends.

Finally, we stated that incumbent licensees may be able to demonstrate compliance with performance requirements sooner than contemplated in the NPRM. We recommended that, if a licensee is able to meet those requirements prior to the end of a license term, it should therefore have its license term and any subsequent performance requirements extended.

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket and sent to each member of the Commission’s staff with whom we met. Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

/s/ Russell H. Fox

Russell H. Fox

Counsel for Straight Path Communications, Inc.