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January 8, 2016

VIA ECFS

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

Re: Notice of Ex Parte Communication –*In the Matter of Amendment of the Commission’s Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354

Dear Ms. Dortch:

General Communication, Inc. (“GCI”), by its undersigned counsel, hereby respectfully submits this written *ex parte* expressing the importance of protecting incumbent 3700-4200 MHz band (“C-Band”) Fixed Satellite Services (“FSS”) earth stations from harmful interference by Citizen Broadband Radio Service Device (“CBSD”) and other end user device operations in the adjacent 3.5 GHz band. As the Commission begins the process to designate Spectrum Access System (“SAS”) Administrators and to further develop the role of the SAS,¹ GCI offers the following recommendations on the ability of the SAS to protect the critical and important services in the C-Band, including though implementing appropriate interference mitigation, remediation and enforcement policies.

GCI has C-Band sites throughout Alaska that assist in providing a vast array of critical services,² including, but not limited to: (1) telehealth services that allow specialists and medical services to reach remote areas that could not otherwise receive such assistance;³ (2) distance learning tools that provide broadband access, video conference, and state-of-the-art digital services that offer high-quality content to students and library patrons in rural and underserved regions of Alaska;⁴ (3) Measured Toll Service (“MTS”) to remote Alaska villages (which, many times is the only option for connecting to emergency officials in critical situations); and (4) long-distance private line (special access) services to FAA and other critical government agency circuits.

¹ See *Wireless Telecommunications Bureau and Office of Engineering and Technology Establish Procedure and Deadline for Filing Spectrum Access System (SAS) Administrator(s) and Environmental Sensing Capability (ESC) Operator(s) Applications*, GN Docket No. 15-319, Public Notice, DA 15-1426 (rel. Dec. 16, 2015).

² See Attachment A for a map of GCI’s registered C-Band FSS earth stations.

³ See GCI ConnectMD, <http://www.connectmd.com/> (last visited Jan. 8, 2016).

⁴ See GCI SchoolAccess, <http://www.schoolaccess.net/public-general/services> (last visited Jan. 8, 2016).



Accordingly, GCI's customers rely heavily on the presence of uninterrupted, continuous service in order to communicate in their day to day lives in rural Alaska. This reliance requires GCI to provide service that is both available and dependable at nearly all times. If GCI's C-Band stations receive interference, critical services may be affected, which may have a significant impact on GCI customer safety. It is for these reasons that the Commission's policies on interference identification and remediation must incorporate prompt timetables. C-Band FSS licensees cannot afford to spend extended periods of time identifying the cause of harmful interference, attempting to contact the offender and finally opening a dialogue that would result in the interfering carrier being removed. This time would be better spent notifying customers and implementing internal mitigation techniques (if available). The SAS must therefore be equipped with the capability to immediately stop harmful interference by CBSDs from occurring. GCI submits that harmful interference events to C-Band FSS stations caused by operations in the 3.5 GHz Band should be required to be identified and resolved at least within two hours of the time that harmful interference is reported to, or recognized by, the SAS. Due to the critical nature of the C-Band FSS operations at stake, any longer timeframe could result in significant public safety concerns.

Furthermore, GCI recommends that the Commission adopt strict penalties for 3.5 GHz operations that repeatedly cause interference in the C-Band FSS services. A particular service provider or entity that causes harmful interference multiple times within a specified time period (i.e., six months) should be subject to enforcement actions including fines and forfeitures, and in the most serious of cases, revocation of their ability to operate in the affected areas.⁵ Repeated harmful interference should not be tolerated in this band due to the critical services at stake.

Lastly, consistent with GCI's reply comments, GCI also reiterates that with respect to any adopted interference protection, the Commission must take into account the aggregate effect of FSS stations of numerous CBSDs that will be operating in the 3.5 GHz band. Therefore, the Commission should: (1) adopt interference criteria based on 1% of noise floor for out-of-band FSS protection, equal to an I/N of -20 dB; (2) adopt a default protection value based on a five degree minimum elevation angle; and (3) adopt at a minimum, a -40 dBm/MHz OOB limit at the upper edge of the 3.5 GHz Band. These conditions will better ensure that C-Band FSS earth stations are protected from any interference caused by CBSDs and end user devices operating in the 3.5 GHz Band, and thus preserve the rights of incumbent licensees that provide critical services.

⁵ The 3.5 GHz Report and Order adopted rules to protect in-band FSS Earth Stations from interference, which will be enforced by the SAS and the Further Notice of Proposed Rulemaking seeks comment on the use of the SAS for out-of-band protections for FSS. See *In the Matter of Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354 Report and Order, ¶¶ 289, 296 (rel. Apr. 21, 2015).



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Sincerely,

Michael Lazarus

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cc (via email): Paul Powell
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Enclosure

ATTACHMENT A

