

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
Requests for Waiver and Extension of Time to ) WT Docket No. 12-332  
Construct 700 MHz A and B Block Licenses )

To: Chief, Wireless Telecommunications Bureau

**COMMENTS OF CENTURYLINK, INC.**

CenturyLink, Inc. (“CenturyLink”) files these comments in support of the requests for an extension of time and for waiver of Section 27.14(g) of the Commission’s rules identified in the *Public Notice*.<sup>1</sup>

As a licensee of spectrum in the Lower 700 MHz band, CenturyLink is well aware of the serious and unforeseen challenges facing licensees in meeting the June 2013 Interim Construction Benchmark, particularly for A Block licensees. First, lack of interoperability in the 700 MHz band greatly hinders the ability of small and new carriers to launch cost-effective services that are attractive to consumers. Second, interference concerns related to both Channel 51 and high-power E Block operation further undercuts the ability to make robust use of A Block licenses. Therefore, the Commission should grant the extension requests described in the *Public Notice*.

For the same reasons, the Commission should extend the Interim Construction Deadline for *all* Lower 700 MHz A Block licensees.<sup>2</sup> These extensions should be for a period that is no

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<sup>1</sup> See *Wireless Telecommunications Bureau Seeks Comment on Requests for Waiver and Extension of Time to Construct 700 MHz A and B Block Licenses, Public Notice*, WT Docket No. 12-332, DA 12-1827 (rel. Nov. 13, 2012).

<sup>2</sup> See Reply Comments of CenturyLink, Inc., *In the Matter of Promoting Interoperability in the 700 MHz Commercial Spectrum, Interoperability of Mobile User Equipment Across Paired* (continued...)

less than two years after the Commission renders a final ruling on interoperability in WT Docket No. 12-69. Providing the requested extensions on a blanket basis would allow A Block licensees to conserve capital that otherwise would be devoted to sub-optimal build-out efforts, thereby preserving those resources for robust build-out once interoperable equipment is more readily available and interference concerns are resolved.

#### **I. LACK OF INTEROPERABILITY HINDERS DEPLOYMENT**

The lack of available Band 12 devices that operate in the Lower 700 MHz A Block hinders deployment and justifies extension of the forthcoming Interim Construction Benchmark. As CenturyLink explained in its reply comments in the interoperability proceeding, while some Band 12 chipsets and a few consumer devices have become available, the continuing production and pervasiveness of devices that exclusively support Band 17 create substantial business challenges, in turn contributing to the delay in meeting the stringent interim construction benchmark for A Block licensees.<sup>3</sup> Nothing has changed in the equipment marketplace since that time. With June 2013 rapidly approaching, Lower 700 MHz A Block licensees are not in a position to offer cost-effective, competitive service to consumers.

Lack of interoperability creates problems for all licensees. However, it is particularly daunting to companies new to the wireless marketplace such as CenturyLink, which have no existing mobile infrastructure or user base on which to rely. While 700 MHz spectrum has performance characteristics that are well-suited for mobile broadband, the lack of consumer handsets makes construction for this purpose extremely difficult for companies like CenturyLink.

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*Commercial Spectrum Blocks in the 700 MHz Band*, WT Docket No. 12-69, RM 11592 (terminated), at 2 (July 16, 2012).

<sup>3</sup> *Id.* at 2.

To facilitate the ultimate provision of the top-quality service that that the Commission intended, the Commission should extend the Interim Construction Benchmark for *all* 700 MHz A Block licensees. An extension for a period of two years after the Commission renders a final ruling on interoperability in WT Docket No. 12-69 is appropriate because it will allow licensees time to develop and implement appropriate business plans in light of the Commission's determination in that proceeding.

## **II. INTERFERENCE CONCERNS FURTHER DISRUPT CONSTRUCTION EFFORTS**

As many of the parties requesting an extension have identified, A Block licensees face interference from both Channel 51 and E Block operations. These issues further justify granting an extension for A Block licensees.

*First*, the duty to maintain a “protected zone” around Channel 51 inhibits the effective use of A Block licenses.<sup>4</sup> While it was known that the presence of Channel 51 television licensees in certain markets posed the possibility of interference at the time of auction, CenturyLink and other licensees anticipated that the scope of the issue would be narrower and more easily resolved. As documented by Cavalier Wireless, however, there has been a significant increase in the number of Channel 51 licensees since Auction 73.<sup>5</sup> The upcoming incentive auction raises a further barrier against reaching voluntary relocation agreements with Channel 51 television licensees because such licensees may adopt a “wait and see” approach to determine what opportunities will be available in the auction. These issues were not foreseeable

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<sup>4</sup> See 47 C.F.R. § 27.60.

<sup>5</sup> See Cavalier Wireless, LLC, *Request for Limited Extension of Initial Construction Requirements*, WT Docket No. 12-332, at 8 (Oct. 15, 2012).

at the time of Auction 73, which was completed two years before the National Broadband Plan first proposed the incentive auction.<sup>6</sup>

*Second*, high-power E Block operation hinders build-out in the A Block. Specifically, adjacent lower E block licensees are permitted to operate at 50 kW, while the A Block and other Lower 700 MHz blocks are limited to 1 kW. With serious interference concerns at both the upper and lower segments, A Block licensees are uniquely inhibited in their efforts to put their spectrum to use. These interference issues form an independent basis that justifies extension of the Interim Construction Benchmark for A Block licensees.

### CONCLUSION

For the reasons stated above, the Commission should grant the extension requests, and further it should extend the Interim Construction Benchmark for all Lower 700 MHz A licensees. These extensions should be for a period that is no less than two years after the Commission renders a final ruling on interoperability in WT Docket No. 12-69.

Respectfully submitted,

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<sup>6</sup> Winning bidders in Auction 73 were announced on March 20, 2008 (Public Notice, DA 08-595). The 2010 National Broadband Plan first proposed that Congress grant authority to conduct incentive auctions. See CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN 81 (2010); Federal Communications, Incentive Auctions, <http://www.fcc.gov/topic/incentive-auctions>.