



MAR 21 2014

Mr. Julius P. Knapp
Chief, Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz bands (GN Docket No. 13-185)

Dear Mr. Knapp:

The National Telecommunications and Information Administration (NTIA) submit for the record in the above-referenced rulemaking proceeding additional information for the Federal Communications Commission (FCC) to consider.¹ Specifically, NTIA responds further to the *AWS-3 NPRM* for purposes of supplementing the information NTIA submitted to the FCC in November 2013 regarding the potential for preserving federal users' access to the AWS-3 bands on federal lands and military training ranges.²

As our previous letter indicated, NTIA agrees that expanding opportunities for federal access to this spectrum, including bands not specifically allocated for federal use (*e.g.*, 2155-2180 MHz), may allow federal agencies greater flexibility to meet tactical, training, and other requirements. Indeed, the NTIA Manual already authorizes access to a number of non-federal bands on a coordinated basis for military tactical and training operations, including the 2155-2180 MHz band.³ The *AWS-3 NPRM* noted that the 2155-2180 MHz band is allocated on a primary basis to non-federal fixed and mobile services and sought comment on specific locations where Federal use would be appropriate (*i.e.*, on Federal lands or properties that are generally unserved by commercial wireless networks) and whether any amendments to the FCC's rules would be required to facilitate that use.⁴ The FCC expected that such locations might include military training ranges in otherwise unpopulated areas and that federal use would be on terms and conditions consistent with the commercial service rules established in this proceeding and in future proceedings.⁵

While one option to implement the FCC's proposal in this proceeding would be a new footnote to the U.S. Table of allocations for both the 1755-1780 MHz and the 2155-2180 MHz bands, the Department of Defense (DoD) notes that there are no defined military requirements for other

¹ See Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands, *Notice of Proposed Rulemaking* in GN Docket No. 13-185, 28 FCC Rcd 11479 (Jul. 23, 2013) (*AWS-3 NPRM*), available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-13-102A1_Rcd.pdf.

² See Letter from Karl B. Nebbia, Associate Administrator, Office of Spectrum Management, NTIA, to Julius P. Knapp, Chief, Office of Engineering and Technology, FCC (Nov. 25, 2013) (*NTIA November 2013 Letter*), available at http://www.ntia.doc.gov/files/ntia/publications/ntia_aws-3_ltr_11252013_.pdf (citing *AWS-3 NPRM* at ¶ 81).

³ See *NTIA November 2013 Letter* at 3, n.13, citing Manual of Regulations and Procedures for Federal Radio Frequency Management at § 7.15.3.5.d, available at http://www.ntia.doc.gov/files/ntia/publications/redbook/2013/7_13.pdf.

⁴ See *AWS-3 NPRM* at ¶ 81 (seeking comment on whether Section 2.103, Federal use of non-Federal frequencies, or any other rules should be amended).

⁵ *AWS-3 NPRM* at 11515-16 ¶ 81.

tactical or training uses specific to the 1755-1780 MHz band other than the existing systems currently being transitioned to share or relocate out of the band. Moreover, limiting access to only low population areas at this time through specific rules to accommodate new types of tactical and training operations may not be necessary if compatibility issues can be worked out with wireless carriers. Accordingly, NTIA, on behalf of DoD, requests that the FCC defer action on the specific text of any new regulations until requirements for a more flexible approach, beyond tactical or training applications in remote areas, can be developed in consultation with military and industry stakeholders in a way that does not hinder the implementation of new wireless broadband services. Such an approach would be consistent with the President's encouragement to the FCC to identify spectrum allocated for non-federal uses that can be made available to agencies, particularly where necessary to accommodate those seeking to relocate systems out of bands (like the 1755-1780 MHz band) into other non-federal bands (like the 2025-2110 MHz band).⁶

NTIA appreciates our ongoing collaborative efforts in this important proceeding. If you have any questions, please contact me or Byron Barker, Chief, Strategic Planning Division, Office of Spectrum Management at bbarker@ntia.doc.gov or (202) 482-5526.

Sincerely,



Karl B. Nebbia
Associate Administrator
Office of Spectrum Management

⁶ See Memorandum for the Heads of Executive Departments and Agencies, *Expanding America's Leadership in Wireless Innovation* (rel. June 14, 2013), published at 78 Fed. Reg. 37431 (June 20, 2013) at § 7(b), available at <http://www.whitehouse.gov/the-press-office/2013/06/14/presidential-memorandum-expanding-americas-leadership-wireless-innovatio> (2013 Presidential Memorandum).