



Computer & Communications  
Industry Association  
Tech Advocacy Since 1972



October 30, 2020

EX PARTE PRESENTATION

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Petition for Rulemaking to Permit MVDDS Use of the 12.2-12.7 GHz Band for Two-Way Mobile Broadband Service, RM-11768**

Dear Chairman Pai:

The undersigned group of diverse stakeholders renews our support for the Commission to move forward with a Notice of Proposed Rulemaking (“NPRM”) to consider unleashing 500 megahertz of new 5G-ready spectrum in the 12.2-12.7 GHz band (the “12 GHz Band”).<sup>1</sup> Over the last several months, many stakeholders have weighed in on our call for the Commission to open a NPRM in the 12 GHz Band.<sup>2</sup> These commenters have explained why they believe that there are no technical obstacles to coexistence in the 12 GHz Band between Direct Broadcast Satellite Service (DBS), non-geostationary satellite orbit fixed satellite services (NGSO FSS), and fixed and mobile 5G wireless broadband services.<sup>3</sup> Several parties suggested that a NPRM could also explore the potential for a sharing framework that accommodates opportunistic use of unused spectrum on a localized basis, such as for high-capacity fixed

---

<sup>1</sup> See MVDDS 5G Coalition Petition for Rulemaking to Permit MVDDS Use of the 12.2-12.7 GHz Band for Two-Way Mobile Broadband Service, RM-11768 (filed Apr. 26, 2016).

<sup>2</sup> See, e.g., Letter from CCA, CCIA, INCOMPAS, Public Knowledge, and Open Technology Institute at New America, RM-11768 (filed May 26, 2020); Letter from Dynamic Spectrum Alliance, RM-11768 (filed Aug. 21, 2020); Letter from Federated Wireless, RM-11768 (filed June 15, 2020); and Letter from Public Interest Organizations, RM-11768 (filed July 9, 2020).

<sup>3</sup> See, e.g., Letter from Dynamic Spectrum Alliance; and Letter from Federated Wireless.

wireless in rural and less densely populated areas.<sup>4</sup> Others have expressed concerns about whether sharing in the 12 GHz Band is possible.<sup>5</sup> We believe these are precisely some of the questions that need to be reviewed in the context of an NPRM—one that can be crafted in a neutral manner to ask all the pertinent questions concerning the operation of terrestrial 5G service in the 12 GHz Band.

Indeed, we support the Commission issuing a neutral NPRM that asks tough questions of all stakeholders regarding the 12 GHz Band so the Commission can develop the necessary record to make an informed decision on its future. The guiding principle for the Commission should be to determine the highest and best use of the band in the context of today’s technology and marketplace needs. Only through a neutral NRPM where the Commission develops a full and detailed record can it make a fair decision on the future of the 12 GHz Band.

We submit that the 12 GHz Band is worthy of a fresh look. The technological changes since the rules for this band were first established suggest use cases that could not have been imagined in 2002. And the growing demand for spectrum for terrestrial services counsels in favor of exploring whether co-existence in the 12 GHz band is feasible. The 12 GHz Band potentially could support fixed broadband, mobile 5G services to mobile devices, street level Internet of Things connectivity, as well as large event deployment. Therefore, we respectfully request that the Commission initiate a neutral NPRM to explore the highest and best use for the 12 GHz Band.

Respectfully submitted,

/s/ Alexi Maltas

Alexi Maltas  
Senior Vice President & General Counsel  
Competitive Carriers Association  
601 New Jersey Avenue, NW Suite 820  
Washington, DC 20001  
(202) 747-0711

/s/ Vann Bentley

Vann Bentley  
Policy Counsel  
Computer & Communications Industry Association  
25 Massachusetts Avenue, NW Suite 300C  
Washington, DC 20001  
(202) 470-3771

/s/ Angie Kronenberg

Angie Kronenberg  
Chief Advocate & General Counsel  
INCOMPAS  
1100 G Street, NW Suite 800  
Washington, DC 20005  
(202) 296-6650

/s/ Michael Calabrese

Michael Calabrese  
Director, Wireless Future Program  
Open Technology Institute at New America  
740 15th Street, NW Suite 900  
Washington, DC 20005  
(202) 986-2700

---

<sup>4</sup> Letter from Dynamic Spectrum Alliance at 2; Letter from Federated Wireless at 2; and Letter from Public Interest Organizations at 3-6.

<sup>5</sup> See, e.g., Letter from AT&T, RM-11768 (filed Oct. 16, 2020); and Letter from SpaceX, RM-11768 (filed Oct. 20, 2020).

/s/ Harold Feld

Harold Feld, Senior Vice President  
Public Knowledge  
1818 N Street, NW Suite 410  
Washington, DC 20036  
(202) 559-1044

Cc: Commissioner Brendan Carr  
Commissioner Michael O'Rielly  
Commissioner Jessica Rosenworcel  
Commissioner Geoffrey Starks