

January 5, 2021

EX PARTE PRESENTATION

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commissions  
45 L Street NE  
Washington, DC 20554

**Re: Expanding Flexible Use of the 12.2-12.7 GHz Band, et al., WT Docket No. 20-443, Notice of Proposed Rulemaking, WT Docket No. 20-443; Petition for Rulemaking to Permit MVDDS Use of the 12.2-12.7 GHz Band for Two-Way Mobile Broadband Service, RM-11768**

Dear Ms. Dortch:

On January 4, 2021, Chip Pickering, CEO of INCOMPAS, and the undersigned discussed the above-captioned Notice of Proposed Rulemaking (“NPRM”) separately with Erin Boone and Jonathan Cannon of Commissioner Simington’s office and William Davenport of Commissioner Stark’s office. INCOMPAS supports the Commission moving forward expeditiously with the NPRM circulated that will consider potentially unleashing 500 megahertz of new 5G-ready spectrum in the 12.2-12.7 GHz band (the “12 GHz Band”).<sup>1</sup>

We support the Commission issuing a neutral NPRM that asks 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. INCOMPAS has a number of member companies that potentially could use the 12 GHz Band to deploy broadband and offer competitive alternatives, driving better and more affordable options in the marketplace. 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 of two-way terrestrial service 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.

The U.S. needs an all-of-the-above strategy for creating more broadband competition and faster deployment of 5G. This neutral approach to an NPRM is a fair way to kick starting the 12 GHz

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<sup>1</sup> See Fact Sheet, Proposed 12 GHz NPRM, *available at* <https://docs.fcc.gov/public/attachments/DOC-368984A1.pdf> (Dec. 29, 2020).

conversation, getting every argument out in the open, and discovering ways to expand internet speeds and access to more families in more places. A neutral NPRM also gives us the best opportunity to resolve any conflicts, solve problems and reach an agreement among all stakeholders for American leadership in 5G and faster broadband connectivity for all. Moreover, it will create the quickest path to regulatory and investment certainty for multiple deployment models.

Respectfully submitted,

*/s/ Angie Kronenberg*

Angie Kronenberg

Chief Advocate & General Counsel

INCOMPAS

1100 G Street, NW Suite 800

Washington, DC 20005

(202) 296-6650

cc: Erin Boone  
Jonathan Cannon  
William Davenport