

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

In the Matter of )  
 )  
Expanding Broadband Opportunities in ) WT Docket No. 24-99  
The 896-901/935-940 MHz Band ) RM-11977

To: Chief, Wireless Telecommunications Bureau

**COMMENTS  
OF THE  
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA”) is pleased to respond to the Wireless Telecommunications Bureau (“WTB”) Public Notice requesting comment in the above-identified proceeding.<sup>1</sup> The WTB seeks comment on the Petition for Rulemaking (“Petition”)<sup>2</sup> filed by EWA and nine other signatories proposing adoption of rules that would create an option for 5/5 megahertz broadband networks in the 896-901/935-940 MHz band (“900 MHz Band”). This rule change would provide a meaningful expansion of the broadband spectrum opportunities available for private enterprise entities and should be the subject of a Notice of Proposed Rulemaking as promptly as possible.

EWA has represented the telecommunications interests of private enterprise users for decades. In that role and as an FCC-certified Frequency Advisory Committee (“FAC”), it considers promoting advancements in the technologies available for its members one of its primary responsibilities. Such initiatives always must be balanced against the interests of incumbents that have invested in their systems, but supporting efforts to create new opportunities for entities whose communications needs cannot be fulfilled with legacy technology is fundamental to EWA’s charter. The instant proposal is consistent with those objectives.

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<sup>1</sup> See *Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking to Expand Wireless Broadband in 900 MHz Band*, WT Docket No. 24-99, Public Notice (rel. Apr. 2, 2024) (“Public Notice”).

<sup>2</sup> Petition of Ameren Services Company *et al.* for Rulemaking (filed Feb. 28, 2024). The petitioners are Ameren Services Company; Anterix, Inc.; Enterprise Wireless Alliance; Evergy, Inc.; Lower Colorado River Authority; Portland General Electric; San Diego Gas & Electric; Southern Communications Services, Inc.; Utility Broadband Alliance; and Xcel Energy Services, Inc. (“Petitioners”).

EWA was a signatory to the rulemaking proposal that was seminal to the current 900 MHz broadband rules.<sup>3</sup> As a FAC, it works with entities around the nation pursuing telecommunications solutions that will enhance the safe and efficient operation of their businesses. While some applications can be addressed on commercial networks or on unlicensed spectrum, the critical nature of many of these operations requires exclusive, licensed spectrum for the digital technologies to which most users have migrated. The next step for some will be the superior latency, capacity, and security of broadband networks. EWA's work with certain members, in particular larger business entities with expansive service areas providing critical services to the American public, highlighted the need for their own broadband facilities and the reality that there is a lack of spectrum options to address that requirement.

The 900 MHz Order offered a path for private enterprise users to secure spectrum for their own broadband networks. It did so while protecting the rights of incumbents by making the process of clearing the 3/3 megahertz broadband segment voluntary except in the most limited circumstances and by maintaining interference protection rights for narrowband systems. EWA has been actively involved in that process during the four years since adoption of the 900 MHz Order. It can attest to the fact that negotiations to acquire, relocate, or protect incumbents have been professional and conducted with minimal difficulty, although not always as quickly as expected.<sup>4</sup>

That experience is the primary basis for EWA's support for the expanded broadband segment proposed in the Petition, with the very important condition that all relocations from the current narrowband segments would be entirely voluntary. No incumbent would be required to relinquish channels in those segments except pursuant to a voluntarily negotiated agreement to do so. The Petition also proposes retaining the existing interference protection rules, rules that have proven effective to date.

The importance of 900 MHz broadband spectrum to private enterprise entities has been demonstrated by the number of counties in which broadband licenses have been granted and in which deployment has begun. Members of the electric utility industry have been the first

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<sup>3</sup> *Review of the Commission's Rules Governing the 896-901/935-940 MHz Band*, Report and Order, Order of Proposed Modification, and Order, WT Docket No. 17-200, 35 FCC Rcd 5183 (2020) ("900 MHz Order").

<sup>4</sup> A number of 900 MHz incumbents have elected to relocate to 800 MHz channels. Their access to available 800 MHz spectrum would be greatly facilitated by adoption of the rules proposed in EWA's Petition for Rulemaking on which comments recently were requested. *See* RM-11978.

adopters for reasons of cybersecurity and grid modernization, but EWA expects other industry segments to pursue this opportunity as well. The current 3/3 megahertz allocation may be sufficient for some users, but the 5/5 megahertz option proposed in the Petition would offer the enhanced capacity and superior latency needed for certain applications. It also would promote opportunities for private entities to share broadband networks, for example electric and water utilities or airports and manufacturing plants. Shared use would result in more intensive use of spectrum at a reduced cost for the parties, a result that would demonstrably be in the public interest.

Broadband capability is becoming increasingly important to the private enterprise community just as it is for consumers. While the latter often desire it for entertainment and other non-economic generating activities, private industry will use it to produce the goods and services on which the American economy and the public depend. For these reasons, EWA urges the FCC to adopt a Notice of Proposed Rulemaking consistent with the rules proposed in the Petition expeditiously.

Respectfully submitted,

**ENTERPRISE WIRELESS ALLIANCE**

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