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November 25, 2024

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Re: WT Docket No. 24-240
***Ex Parte* Presentation**

Dear Ms. Dortch:

The Enterprise Wireless Alliance (“EWA”) has been an active participant in the Federal Communications Commission (“FCC”) proceeding that is considering the Petition for Rulemaking (“Petition”) filed by NextNav, Inc.¹ EWA is one of the more than 1,800 parties that have filed comments in response to the Public Notice, almost all of which either oppose or raise serious concerns about the restructuring of the 902-928 MHz Band proposed in the Petition. EWA filed individual Comments in the proceeding and has been a member of the coalition led by the U.S. Chamber of Commerce (“Chamber”) that has submitted multiple filings in this matter.²

Given this abundance of record evidence, it is puzzling that NextNav’s *ex parte* response to the Chamber’s Oct. 18, 2024 filing alleges EWA has a “fundamental misunderstanding of NextNav’s 5G PNT Integration.”³ NextNav states that EWA’s concerns about interference are “misplaced” because “EWA appears to envision two separate network deployments – one for 5G and another for next-generation geolocation.”⁴ That is not and never has been EWA’s understanding. Its Comments made clear EWA’s understanding that there would be a single network:

¹See *Wireless Telecommunications Bureau and Office of Engineering and Technology Seek Comment on NextNav Petition for Rulemaking*, WT Docket No. 24-240, Public Notice (rel. Aug 6, 2024) (“Public Notice”).

² EWA Comments filed Sept. 5, 2024; Chamber Comments filed Sept. 5, 2024; Chamber Reply Comments filed Sept. 23, 2024; Chamber *ex parte* presentations filed Oct. 18, 2024 and Oct. 31, 2024.

³ NextNav *ex parte* presentation filed Oct. 18, 2024 at 4.

⁴ NextNav *ex parte* presentation filed Oct. 31, 2024 at 4-5.

NextNav intends to fund its deployment by allowing carriers to “integrate NextNav’s Lower 900 MHz Band spectrum into their 5G networks.... The proposed technical rules would permit significantly higher power operations than allowed today in geographically extensive commercial 5G networks and thereby dramatically alter the current spectrum landscape.⁵

In fact, it is the impact of that prospective commercial broadband network that will host NextNav’s proposed TPNT operation that is of significant concern to EWA, to other members of the Chamber coalition, and to many other commenters in this proceeding.⁶

The proposed changes contemplate base station transmitters that will operate at more than 600 times the power level used in NextNav’s current operations. The new system would also introduce new high-power handset transmitters in vehicles, which present a completely new interference risk....⁷

It is unclear why NextNav believes impacted parties will be comforted by the fact that the “TPNT system is inherently part of the 5G service”⁸ since it is that 5G network that is expected to cause seriously destructive interference.

Finally, NextNav appears to misunderstand EWA’s comments about the inability to test for interference. EWA explained that interference testing as proposed by the National Telecommunications and Information Administration (“NTIA”) would not be possible because there is no commercial 5G network operating in that band.⁹ A commercial operator presumably would need to secure an experimental license to field test uncertified 5G equipment, assuming a vendor would make such equipment available for that purpose, since it is not just the TPNT usage that is at issue but the impact of the commercial broadband network itself. A valid test would require a sufficiently robust 5G deployment to provide meaningful results. As NextNav has stated, its TPNT system is inherently part of the 5G service. The two cannot be disassociated for testing purposes.

⁵ EWA Comments at 4.

⁶ See e.g., Avery Dennison Corporation *ex parte* filing dated Nov. 21, 2024.

⁷ Chamber *ex parte* presentation filed Oct. 18, 2024 at 2.

⁸ NextNav *ex parte* presentation filed Oct. 31, 2024 at 5.

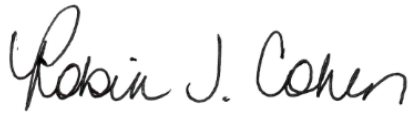
⁹ NTIA Comments filed Sept. 20, 2024 at 2.

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Please feel free to contact me if you have any questions or comments.

Sincerely,

ENTERPRISE WIRELESS ALLIANCE



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