

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

In the Matter of)
)
Amendment of the Commission’s Rules with) GN Docket No. 12-354
Regard to Commercial Operations in the 3550-)
3650 MHz Band)

To: The Commission

**REPLY COMMENTS
OF THE
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its Reply Comments in the above-entitled proceeding.¹ The proceeding proposes what the FCC describes as an “innovation band” in which it intends to “explore new methods of spectrum sharing and promote a diverse array of network technologies, with a focus on relatively low-powered applications.”² EWA supports this initiative. It is another avenue by which the FCC hopes to address wireless coverage and capacity issues in a world where consumer demand for bandwidth appears almost insatiable, demanding novel constructs for spectrum access and utilization. However, the Alliance joins a number of parties who urge that this experimental approach to spectrum management be confined at this time to the 3550-3650 MHz band and not expanded to the 3650-3700 MHz (“3.65 GHz”) band. If the Commission chooses to proceed over these objections, at a minimum it should modify its rules to provide a fair opportunity for licensees in the 3.65 GHz band to derive a reasonable benefit from their equipment investments

¹ In the Matter of Amendment of the Commission’s Rules with Regard to Commercial Operations in the 3550-3650 MHz Band, *Further Notice of Proposed Rulemaking*, GN Docket No 12-354, 29 FCC Rcd 4273 (2014) (“FNPRM”).

² *Id.* at ¶ 2.

and, even more important, to protect the viability of systems that are used to serve essential public needs.

EWA is a national trade association representing business enterprises, wireless sales and service providers, hardware and software system vendors, and technology manufacturers. A number of Alliance members hold FCC authorizations for and have registered numerous locations in the 3.65 GHz band. This spectrum is a critical space for the deployment of systems meeting the higher-speed point-to-multipoint requirements of a variety of business enterprise users such as utilities, petroleum companies, airlines, and other mainstays of the American economy. It also is deployed by primarily more rural WISPs that need to cover more geography than is achievable in many alternative bands. Thus, the Commission's decisions in this proceeding will have a profound impact on many of EWA's members, on their customers, and, therefore, on the Alliance.

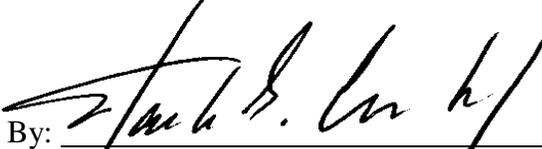
The Alliance does not need to expand upon the comments of entities such as the American Petroleum Institute ("API"), the Utilities Telecom Council ("UTC"), Ameren Services Company, Southern Company Services, Inc., Great River Energy, Sprint Corporation, and others. They have described in detail the various uses currently supported in the 3.65 GHz band. In particular, the utility and energy industries have embraced this allocation, which utilizes a novel, flexible, hybrid licensing scheme that relies primarily on responsible spectrum management by licensee/registrants to avoid interference while maximizing use of the band. These commenters have pointed out the very significant increase in location registrations in the past few years that confirms the value of the allocation for a variety of advanced communications services such as smart grid and SCADA operations. Licensees have invested heavily in the band because it meets specific requirements that are not well-suited to other

allocations. This is a success story for the Commission, for industry and for the public. Its proven utility should not be compromised, perhaps sacrificed entirely, to expand the scope of the highly complicated and as-yet-untested Citizens Broadband Radio Service regulatory scheme.

If the Commission, nonetheless, elects to include this spectrum in the new Citizens Broadband Radio Service, then EWA strongly recommends that it adopt the recommendations of organizations such as API and UTC in regard to such an annexation. The FCC should extend the grandfathering period beyond five years, create a preferred status for CII entities seeking Priority Access Licenses, one that does not involve annual auctioning of their access rights, clarify the definition of Contained Access Facilities to include outdoor as well as indoor operations, and retain the current 3.65 GHz band power and other technical rules, thereby avoiding the need to re-engineer systems already deployed in that band.

The Citizens Broadband Radio Service over time may demonstrate that its complex, highly dynamic spectrum sharing plan works well for small cell deployment. Given the exploding need for broadband capacity, the Alliance hopes that this experiment proves as successful as the approach adopted for the 3.65 GHz band. However, EWA urges the Commission to allow these two allocations to flourish independently rather than mandating a consolidation that, at best, threatens to seriously undermine current and future use of this band for communications purposes that are vital to the well-being of this nation.

ENTERPRISE WIRELESS ALLIANCE

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Your submission has been accepted

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