October 1, 2015

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554


Dear Ms. Dortch:

On September 29, 2015, Kurt Schaubach, Masoud Olfat, and Sam MacMullan of Federated Wireless, Inc., and Jennifer Richter and Steve Rowings, the company’s counsel, met with John Leibovitz, Paul Powell, Chris Helzer, and Becky Schwartz of the Wireless Telecommunications Bureau and Ira Keltz of the Office of Engineering and Technology. The discussions focused on the Commission’s proposals to establish the Citizens Broadband Radio Service in the 3.5 GHz Band (“Citizens Band”).1 The Commission should be encouraged by the growing industry interest in utilizing 3.5 GHz spectrum, and the pace at which the ecosystem for the Citizens Band is developing. During the meeting, Federated Wireless discussed a number of developments and points, including the following:

- The National Advanced Spectrum and Communications Test Network (“NASCTN”) has announced its first spectrum sharing project in partnership with Federated Wireless and NASCTN’s partners, the National Institute of Standards and Technology (“NIST”), the National Telecommunications and Information Administration (“NTIA”), and the Department of Defense (“DOD”). The project is the first pilot test of an Environmental Sensor Capability (“ESC”) for a Spectrum Access System (“SAS”). The initiation of testing and validation of the ESC marks an important milestone for stakeholders in the Citizen’s Band proceeding, as the ESC validation will help to accelerate certification of SAS solutions and continue the momentum toward shared use of the band.

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Federated Wireless plans to expand its pilot program activity in the 4th quarter of this year, focusing on utilization of SAS and ESC technology with different partners.

Federated Wireless and a majority of commenters agree that the Commission should use an engineering definition, rather than an economic definition, to define when Priority Access License (“PAL”) spectrum is in “use.” An engineering definition will allow the SAS to effectively perform its role in making vacant PAL spectrum available for use by others. Commission staff and Federated Wireless discussed the clear motivation of SAS administrators to cooperate with PAL licensees to define what constitutes “use” so that SAS administrators can effectively perform their role.

There is nearly uniform support in the record for a more streamlined and flexible system to allow secondary uses of PAL spectrum, without applying traditional Secondary Markets rules. Federated Wireless shares the Commission’s concern for accountability and enforcement mechanisms while still providing flexible and frictionless third-party access to spectrum in the band. In its Second FNPRM comments, Federated Wireless suggested a one-time FCC registration system for entities wishing to utilize PAL spectrum, coupled with verification keys that PAL licensees can provide to third party spectrum users in order to authorize secondary use to the SAS administrator. These mechanisms could provide the accountability the Commission seeks.

Federated and Commission staff also discussed development of a congestion metric, and the SAS’s role in ensuring a fair opportunity for new Citizens Band licensees to gain access to spectrum in the band. Federated expressed the view that General Authorized Access (“GAA”) assignments should be made consistent with Part 96 rules and in a manner that ensures a level of fairness among users. Although a SAS would not be required to optimize GAA use, in terms of requested channels and power levels, the SAS could optionally provide such optimization as a value-added service.

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There are, potentially, different interpretations of the Commission’s rule on adjacent channel interference. Commission staff clarified that Section 96.41(f) is not a receiver performance specification. Commission staff could further clarify how the rule should be interpreted, and emphasize that the rule reflects an environmental condition and not a hard and fast requirement for the SAS. Rather, the SAS administrator could provide adjacent channel protection to customers as a value-added service.

There are both opportunities and challenges presented by the possibility that SAS administrators could utilize differentiated propagation models which could return slightly different results. While the results may differ, provided the SAS is compliant with certain baseline requirements, the answer produced by any specific SAS would not necessarily be wrong. Federated Wireless and Commission staff discussed the importance of establishing a baseline to get SASs approved and readily certified, while also preserving the opportunity to innovate SAS functionality in the future so that SAS administrators can differentiate their offerings.

Federated Wireless agrees with the Commission that the perfect should not be the enemy of the good in this proceeding, and that all stakeholders should continue working together to implement and launch the Citizens Band, with innovations taking place over time, after confidence in ESC and SAS technology is established. Federated Wireless looks forward to continuing its work to achieve the Commission’s goals for the Citizens Band.

Sincerely,

/s/
Jennifer L. Richter  
Counsel for Federated Wireless, Inc.

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See 47 C.F.R. § 96.41(f).
cc: John Leibovitz
    Paul Powell
    Ira Keltz
    Becky Schwartz
    Chris Helzer