



April 16, 2023

Via E-Filing ([www.regulations.gov](http://www.regulations.gov))

Stephanie Weiner  
Acting Chief Counsel  
National Telecommunications and Information Administration  
Washington, DC 20230

Re: NTIA-2023-0003, Docket 230308-0068, *Development of a National Spectrum Strategy*

The Computer & Communications Industry Association (CCIA) is pleased to respond to the Request for Comments (RFC) asking how best to manage and authorize America's radiospectrum.<sup>1</sup> CCIA confines these comments to the issues it finds most pressing for the wireless market in the near term.

I. NTIA SHOULD ENCOURAGE THE FCC TO AUTHORIZE THE 12.2-12.7 GHZ BAND FOR TERRESTRIAL, HIGH-POWER, TWO-WAY, FIXED AND MOBILE BROADBAND SERVICES.

Since January 2021, the Federal Communications Commission (FCC) has been considering how the 12.2-12.7 GHz band can accommodate additional services.<sup>2</sup> Several authoritative engineering studies demonstrate that the FCC can authorize the 12.2-12.7 GHz band for high-power, two-way broadband service without causing harmful interference to legacy services, namely Direct Broadcast Satellite (DBS) and non-geostationary orbit system, fixed satellite service (NGSO FSS).<sup>3</sup> The value of this band for speeding broadband deployment to unserved and underserved areas is self-evident<sup>4</sup> and virtually unquestioned.<sup>5</sup> Further, the lapse of the FCC's auction authority makes it all the more crucial that existing spectrum bands like 12.2-12.7 GHz be expanded for additional technologies and services.

As NTIA configures its broader strategy for managing America's spectrum, it should take this opportunity to urge the FCC to issue an order that permits expanded use of the 12.2-12.7 GHz for terrestrial, high-power, two-way broadband service.

II. NTIA SHOULD LIKEWISE SUPPORT AUTHORIZATION OF THE ADJACENT 12.7-13.25 GHZ BAND FOR BROADBAND SERVICES.

The 12.7-13.25 GHz band (the "Upper 12 GHz band") is also well suited for mobile broadband service. In general, mid-band spectrum in this range can reliably support high throughput with

---

<sup>1</sup> Published at 88 Fed. Reg. 16244 (Mar. 16, 2023).

<sup>2</sup> WT Docket 20-443, *Expanding Flexible Use of the 12.2-12.7 GHz Band*, Notice of Proposed Rulemaking, FCC 21-13 (Jan. 15, 2021), published at 86 Fed. Reg. 13266 (Mar. 8, 2021).

<sup>3</sup> E.g., WT Docket 20-443, Assessment of Feasibility of Coexistence Between NGSO FSS Earth Stations and 5G Operations in the 12.2-12.7 GHz Band, RKF Engineering Solutions, LLC ([May 2021](#)); File No. RM-11768, MVDDS 12.2-12.7 GHz Co-Primary Service Coexistence, Tom Peters ([June 8, 2016](#)), MVDDS 12.2-12.7 GHz Co-Primary Service Coexistence II, Tom Peters ([June 23, 2016](#)).

<sup>4</sup> E.g., WT Docket 20-443, The 12 GHz Band: Analysis of Physical Characteristics and Applicable Technologies, Roberson and Assoc., LLC ([July 7, 2021](#)) ("Roberson Report").

<sup>5</sup> WT Docket 20-443, Reply Comments of RS Access, LLC at 1-9 ([July 7, 2021](#)).



low path loss, and as a result requires less infrastructure deployment and investment.<sup>6</sup> Once the FCC has authorized the 12.2-12.7 GHz band for wireless broadband services, its next step should be to commence an expedited proceeding for the proposed expansion of the 12.7-13.25 GHz band for similar services.

III. ADOPTION OF A UNIFORM, ROUTINIZED PROCESS FOR RESOLVING INTERFERENCE CONCERNS WOULD HELP TO SPEED VALUABLE, INNOVATIVE SERVICES TO MARKET.

The RFC poses several questions regarding the most advantageous licensing schemes and procedures for new spectrum bands, among them being “the incumbent informing capability (IIC).”<sup>7</sup> CCIA strongly supports the adoption of any technology, methodology, and process that will speed innovative services to market. In the wireless industry, concerns about harmful interference have been a principal barrier to deployment, a circumstance typified by the FCC’s lengthy proceeding on the 12.2-12.7 GHz band. Any solution that NTIA can bring to bear on this issue would be of great value.

Finally, although authorization procedures cannot be “one size fits all” across every spectrum band, the adoption of a minimum set of administrative protocols might be a help to both the industry and to the agencies. As the RFC notes, a balance must be struck between “foster[ing] trust among spectrum stakeholders” and “avoid[ing] unnecessary delays resulting from non-consensus.”<sup>8</sup> Regulatory uncertainty can be lethal for emerging technologies, and years-long exchanges of *ex parte* filings are unproductive. A routinized plan for inviting stakeholder comment, with clear guardrails for when and how the agencies will consider presentations and evidence, would enable appropriate administrative review while also minimizing uncertainty and delay.

\* \* \* \*

Thank you for opening this inquiry to public comment. CCIA remains available for any additional information that the agency might need.

Sincerely,

Stephanie Joyce  
Chief of Staff and Senior Vice President  
CCIA

<sup>6</sup> Roberson Report at 1-3.

<sup>7</sup> 88 Fed. Reg. at 16247 (“Pillar #3”).

<sup>8</sup> *Id.* (“Pillar #2”).