

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
 )  
Use of the 5.80 – 5.925 GHz Band ) ET Docket No. 19-138  
 )

**REPLY COMMENTS  
OF  
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these Reply Comments in response to the Notice of Proposed Rulemaking issued by the Federal Communications Commission (“Commission”) seeking comment on proposals to assess the 5.9 GHz band rules and repurpose the lower 45 MHz part of the band for unlicensed operations to support high-throughput broadband applications.<sup>2</sup> NTCA is supportive of the Commission’s efforts to make additional spectrum available for unlicensed use in Wi-Fi applications.

Demand for unlicensed spectrum is growing. Wi-Fi is essential to the functioning of nearly every workplace, home and school. Robust wireline networks and fast and reliable Wi-Fi

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<sup>1</sup> NTCA represents approximately 850 independent, community-based telecommunications companies and cooperatives and more than 400 other firms that support or are themselves engaged in the provision of communications services in the most rural portions of America. All NTCA service provider members are full service rural local exchange carriers (“RLECs”) and broadband providers, and many provide fixed and mobile wireless, video, satellite and other competitive services in rural America as well.

<sup>2</sup> *Use of the 5.850-5.925 GHz Band*, Notice of Proposed Rulemaking, ET Docket No. 19-138, FCC 19-129 (released December 17, 2019) (“NPRM”).

connections are integral components of distance learning, telecommuting, video streaming, smart-home and smart-agriculture technologies and more.

NTCA's members are investing to meet the needs and expectations of rural consumers. High-speed Wi-Fi plays a critical role in keeping rural communities connected. It enables urban-rural comparability for businesses, healthcare and education. It allows consumers to make the best possible uses of the underlying networks that connect them. Indeed, Wi-Fi serves as the critical link between many users' devices and the a robust fixed broadband connection. As Commissioner Carr noted, "[t]he bottleneck soon may not be that last mile but those last few feet or inches."<sup>3</sup> While we work to achieve 100 percent connectivity to that last mile in rural areas, it is important to also recognize the consumers' expectations for those last few feet. As the speed and dependence on wireline networks increases, the speeds and availability of the Wi-Fi networks must keep pace.

As NCTA notes in its initial comments, Wi-Fi carried half of all internet traffic in the U.S. in 2017, and this number will grow to 56.6 percent by 2022.<sup>4</sup> It is anticipated that Wi-Fi networks in 2022 will carry more than the total traffic of any medium in 2017.<sup>5</sup> In fact, American's reliance on and the need for high-speed fixed broadband connections paired with Wi-Fi that is capable of "keeping up" has never been more evident as it has been in the response to COVID-19. Wide-spread distance learning and telecommuting has demonstrated the critical

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<sup>3</sup> NPRM Statement of Commissioner Brendan Carr.

<sup>4</sup> *See*. NCTA comments, p. 1, citing, Comment of Cisco Systems, Inc. at 4, ET Docket 19-295, GN Docket No, 17-183.

<sup>5</sup> *Id.*

and complementary role wireline networks and Wi-Fi play in keeping the country operating. More than 700 companies and associations have signed Chairman Pai's Keep Americans Connected Pledge in which providers promise to open Wi-Fi hotspots to any American who needs them.<sup>6</sup> Additionally, the FCC has granted special temporary authority to a number of wireless companies to use additional spectrum to meet their customer's needs.<sup>7</sup> During a Senate Financial Services Subcommittee hearing earlier this month, FCC Commissioner Geoffrey Starks said the FCC, in response to COVID-19 should consider expediting waivers and experimental licenses that will expand network capabilities and create additional Wi-Fi capacity by temporarily authorizing use of the 5.9 GHz band.<sup>8</sup>

The 5.9 GHz spectrum band has a role to play both in the short-term as the country battles the impacts of COVID-19, and long-term to meet the needs of businesses, schools and universities, medical establishments, the financial markets, public safety users and others. Wi-Fi also has a role to play in telemedicine and smart agriculture. As the Commission notes, "Today's technological environment is vastly different from 1999 when we first allocated the 5.9 GHz for ITS."<sup>9</sup> Years after the initial allocation, much of the spectrum band remains unused. NTCA supports a balanced approach that protects incumbent operations – whether in this band or by potentially moving them to another, more suitable band as suggested by some commenters;

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<sup>6</sup> See, [www.fcc.gov/keep-americans-connected](http://www.fcc.gov/keep-americans-connected)

<sup>7</sup> *Id.*

<sup>8</sup> <https://www.appropriations.senate.gov/imo/media/doc/03.10.20%20--%20Starks%20Testimony.pdf>

<sup>9</sup> See NPRM at ¶19.

but agrees with the Commission that freeing up unused spectrum will offer “immediate and potentially significant benefits when used by unlicensed devices”<sup>10</sup> and “is likely to generate quantifiable benefits for consumers, stakeholders and the American economy.”<sup>11</sup>

Based on the foregoing, NTCA supports the Commission’s proposal to make 5.9 GHz spectrum available for unlicensed use.

Respectfully submitted,



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<sup>10</sup> NPRM at ¶ 16.

<sup>11</sup> *Id* at ¶ 63.