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

In the Matter of )  
 )  
Notice of proposed rulemaking, facilitating shared use ) WT Docket No. 19-348  
in the 3.1-3.55 GHz Band )  
 )

**COMMENTS OF DYNAMIC SPECTRUM ALLIANCE**

Martha SUAREZ  
President  
Dynamic Spectrum Alliance

February 21, 2020

## COMMENTS

The Dynamic Spectrum Alliance (DSA)<sup>1</sup> submits these comments in response to the Commission’s Notice of Proposed Rulemaking requesting public input regarding the 3.1-3.55 GHz band.<sup>2</sup> The DSA represents the companies that make the technologies to improve spectrum utilization to the benefit of consumers and businesses worldwide. We believe that spectrum sharing is fundamental to a modern spectrum policy framework – particularly for the U.S. to maintain leadership in 5G – and have advocated for increased spectrum abundance and sharing in the Commission’s recent Citizens Broadband Radio Service (CBRS), C-band, TV White Space, and 6 GHz proceedings.

During the course of this proceeding, we ask the Commission to take into consideration:

1) the ever-increasing worldwide demand for mid-band spectrum for 5G commercial use, 2) NTIA’s and DoD’s finding that the 3.1-3.55 GHz may be suitable for commercial use, and 3) the potential opportunity to extend the successful CBRS framework in the 3.55-3.7 GHz band down to the adjacent 3.1-3.55 GHz. Because of the foregoing, DSA specifically supports the Commission’s proposal to eliminate the non-federal radiolocation services allocation in the 3.3-3.55 GHz band and

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<sup>1</sup> The Dynamic Spectrum Alliance is a global, cross-industry alliance focused on increasing dynamic access to unused radio frequencies. The membership spans multinational companies, small- and medium-sized enterprises, academic, research, and other organizations from around the world, all working to create innovative solutions that will increase the utilization of available spectrum to the benefit of consumers and businesses alike. A full list of DSA members is available on the DSA’s website at [www.dynamicspectrumalliance.org/members/](http://www.dynamicspectrumalliance.org/members/).

<sup>2</sup> *Notice of Proposed Rulemaking, Facilitating Shared Use in the 3.1-3.55 GHz Band*, WT Docket No. 19-348 (Dec. 12, 2019).

the non-federal amateur allocation in 3.3-3.5 GHz. We further urge the Commission not to approve any pending or future requests for high-power weather radar operations in the band.

## **I. DEMAND FOR MID-BAND SPECTRUM**

DSA supports the Commission’s efforts to free up additional mid-band spectrum for commercial use--a key component for 5G deployment--to meet ever-increasing consumer demand. US industry has responded to the Commission’s efforts by making substantial investments and demonstrating strong interest in CBRS and the recent C-band, 5.9 GHz, and 6 GHz proceedings. This proceeding is another opportunity to enable shared commercial use in the 3.1-3.55 GHz band, a step that can be taken in the near term to address industry demand, and one that fits into the Commission’s “all of the above” licensed, unlicensed, and shared policy approach to free up more spectrum.

## **II. NTIA REPORT**

NTIA recently reported that time-based coordinated sharing, in conjunction with technical capabilities to inform incumbents of commercial operations, will likely be the most effective sharing approach in 3.1-3.55 GHz band, and would be superior to static sharing on a separated frequency or geographic basis.<sup>3</sup> While additional work needs to be done before stakeholders can reach firm conclusions, the lessons, technologies, and methods developed during the creation and certification of CBRS are obvious guideposts for opening the 3.1-3.55 GHz band to sharing. For example, SAS-

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<sup>3</sup> *NTIA Technical Report TR-20-546 Technical Feasibility of Sharing Federal Spectrum with Future Commercial Operations in the 3450-3550 MHz Band*, Jan. 2020, at Sec. 9.1, Pg. 125.

CBSD interaction and the use of Dynamic Protection Areas (DPAs) may be particularly helpful in enabling commercial services in the band.

### **III. OPPORTUNITY TO EXTEND CBRS**

While at this early stage, there is no way to conclude definitively what the optimal sharing framework will be in the 3.1-3.55 GHz band given the particular technical and operational characteristics of the incumbent federal systems, DSA nevertheless believes that the Commission should consider this proceeding an opportunity to explore extending the successful CBRS framework into the band. To the extent feasible, extending an existing, successful CBRS framework into the adjacent band below 3550 MHz can jump start private investment. CBRS demonstrates the possibility that thoughtful collaboration among industry stakeholders like the CBRS Alliance industry group, NTIA, DoD, the WINNForum standards setting organization, and the Commission can achieve a resounding commercial and policy success in operationalizing 5G networks. This technological expertise, know-how, methods, and relationships should be leveraged by the Commission to expedite requirements development and technical specifications for the 3.1-3.55 GHz band.

### **IV. EXISTING ALLOCATIONS AND FUTURE APPLICATIONS**

The commission should eliminate the non-federal Radiolocation Services and Amateur Allocations and reject pending and future applications for High-Power Weather Radar operations in the 3.3-3.55 GHz band. Considering the strong demand for mid-band spectrum for 5G, along with NTIA's findings and the success of CBRS, it is clear from economic and policy perspectives that the

highest and best use of the 3.1-3.55 GHz band would be for innovative, commercial wireless use (with the ability to protect critical federal incumbencies). DSA therefore supports the Commission's proposal to eliminate the non-federal radiolocation services allocation in the 3.3-3.55 GHz band and the non-federal amateur allocation in 3.3-3.5 GHz. Furthermore, DSA shares the concerns raised by WinnForum about the impacts of high-power weather radar operations in the 3500-3550 MHz band on commercial services in the adjacent CBRS band (3550-3700 MHz)<sup>4</sup> which are just as relevant to potential commercial services in the 3.1-3.55 GHz band. The Commission, in cooperation with NTIA, should thus reject any pending or future applications for these high-power weather radars in the 3.1-3.55 GHz band.

Respectfully submitted,



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February 21, 2020

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<sup>4</sup> *Informal Opposition to Weather Radar Application*, WinnForum Document WINNF-RC-1003-V.1.0.0, Filed on Aug. 27, 2017.