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3.5 GHz CBRS Band Rules Effective Jan. 7; 5.9 GHz Band Waiver for Connected Cars; Petitioners Seek to Move FCC Small Cell Case to San Francisco; Mobility Fund Phase II Update; Spectrum Frontiers Auction Update: Telecom Alert - December 10, 2018

Monday, December 10, 2018

3.5 GHz CBRS Band Rules Effective January 7

The FCC's recently adopted 3.5 GHz band Citizens Broadband Radio Service (CBRS) [Report and Order](#) was published in the [Federal Register](#) last week, establishing an effective date for the rules on January 7, 2019. The modified rules include extending license terms to 10 years, adding renewability, and increasing the size of Priority Access License (PAL) areas from census tracts to counties. The General Authorized Access (GAA) tier of CBRS service is expected to become available later in the first quarter of 2019 and the PAL license auction could possibly be held by the end of 2019.

5.9 GHz Band Waiver for Connected Cars

The FCC is [seeking comment](#) on a [waiver request](#) filed by the 5G Automotive Association (5GAA) to allow deployment of Cellular Vehicle-to-Everything technology within the upper 20 MHz of the 5.850-5.925 GHz band, which is currently limited to Dedicated Short Range (DSCR) Intelligent Transportation System radio service operations. 5GAA's proposal states that its C-V2X technology offers a much greater communications range, better line-of-sight performance, and greater resiliency to provide drivers with an earlier, more complete picture of the surrounding road environment. Comments and Reply Comments are due on January 11 and January 28, 2019, respectively.

Petitioners Seek to Move FCC Small Cell Case to San Francisco

Last month a group of cities and counties (the San Jose Petitioners) filed a Motion to Transfer the consolidated legal challenges to the FCC's Small Cell Order from the Tenth Circuit in Denver, Colorado, to the Ninth Circuit in San Francisco, California. Several appeals challenging the Order were initially filed in the First, Second, Ninth, and Tenth Circuits and were consolidated and assigned to the Tenth Circuit by lottery. There are already petitions pending in the Ninth and Eleventh Circuits which seek review of the FCC's Third Report and Order and Declaratory Ruling released in August, which focused on pole attachment regulations. The FCC moved to transfer the Eleventh Circuit appeal to the Ninth Circuit. The San Jose Petitioners argued that all petitions should be reviewed by the same court because they are associated with the same docket and thus should be treated as the same order.

Mobility Fund Phase II Challenge Process Update

On December 3, the Rural Broadband Auctions Task Force (Task Force) released its seventh [update](#) regarding the [Mobility Fund Phase II](#) (MF-II) challenge process. MF-II seeks to support primarily rural areas lacking 4G LTE service. By the close of the challenge window on November 28, challengers submitted data for 20,809,503 speed test results spanning 37 states, and certified challenges to 129,527 square-kilometer grid cells. The Task Force noted that out of 106 entities with access to the challenge portal, only 21 entities submitted and certified valid



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challenges.

Spectrum Frontiers Auction Update

As of Friday evening, the FCC had completed 50 rounds in Auction 101 (licenses in the 27.5-28.35 GHz band). 2,889 county-sized licenses with provisionally winning bids (PWBs) have generated over \$677 million. 183 licenses remain to be auctioned.

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