

Telecom Alert - Pole Attachment Order Effective Date; 800 MHz Guard Band Petition for Rulemaking; Auction 102 Clock Phase Closes; Auction 103 Bidding Procedures; FCC Proposes to Reallocate 1675-1680 MHz Band - Vol. XVI, Issue 16



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Pole Attachment Order Effective Date

For investor-owned utilities in the 30 “FCC States,” the effective date of the remaining, operational provisions of the FCC’s August 3, 2018 [Pole Attachment Order](#) will be May 20, 2019. These new provisions include one-touch make-ready, attacher self-help remedies, new survey and make-ready requirements, and others.

800 MHz Guard Band Petition for Rulemaking

The Enterprise Wireless Alliance (EWA) filed a [Petition for Rulemaking](#) last week requesting the Commission designate the 800 MHz Guard Band (816-817/861-862 MHz) as “green space” to relocate Business/Industrial (B/ILT) incumbents operating on T-Band channels (470-512 MHz) and certain 900 MHz narrowband channels (896-901/935-940 MHz). The 800 MHz Guard Band is intended to be used by B/ILT users. However, the Commission is not accepting applications for operations in this band in many parts of the country because the Frequency Advisory Committees (“FACs”) charged with implementing frequency coordination procedures have not reached an agreement on the coordination process. This Petition seeks to make the band available for incumbent T-Band licensees and certain 900 MHz band licensees that may be impacted by the band realignment proposed by pdvWireless.

Auction 102 Clock Phase Closes

Last week the [FCC announced](#) that bidding has concluded in the clock phase of the auction of 24GHz Upper Microwave Flexible Use Service licenses (Auction 102). The Public Notice also contains information about the assignment phase of Auction 102 and declares assignment phase eligibility for bidders that won at least one generic block of spectrum in one Partial Economic Area (PEA) during the clock phase. Eligible bidders will be able to access the bidding system between 10:00 a.m. on April 26 and 12:00 p.m. EST on April 29. A mock auction will be conducted on April 30 and the first round of assignment phase bidding will begin on May 3.

Auction 103 Bidding Procedures

Following the Commission’s April 15 [Public Notice](#), the Comment and Reply Comment deadlines have been set for the FCC’s proposed competitive bidding procedures for the incentive auction of the Upper 37 GHz, 39 GHz, and 47 GHz bands (Auction 103) ([Vol. XVI, Issue 15](#)). The Commission again proposes to use an ascending clock auction design to offer licenses for spectrum held by the Commission and for spectrum relinquished by incumbent licensees. Comments are due by May 15 and Reply Comments are due by May 30.

FCC Proposes to Reallocate 1675-1680 MHz Band

On April 18, Chairman Pai’s office released a draft [Notice of Proposed Rulemaking](#) (NPRM) which seeks to reallocate the 1675-1680 MHz band for shared use between incumbent federal operations and non-federal fixed or mobile operations on a co-primary basis. The NPRM proposes to make the spectrum available as an unpaired 5 MHz block on a geographic basis. The Commission is scheduled to vote on the NPRM at its May 9, 2019 Open Meeting.

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