Over 300 Parties Apply for 3.5 GHz Band Auction

The FCC’s Office of Economics and Analytics released a Public Notice last Tuesday announcing the status of 348 short-form applications it received for the 3.5 GHz band auction (Auction 105) (Vol. XVII, Issue 18). Of the applications submitted, 106 were deemed complete and 242 were deemed incomplete. Parties that submitted incomplete applications must correct any deficiencies and resubmit with the required upfront payment by 6:00 p.m. on June 19. The Public Notice also announced...
that the mock auction will now begin on July 17.

**70/80/90 GHz Band Proposal for Expanded Use**

At its June 9 Open Meeting, the FCC adopted a [Notice of Proposed Rulemaking and Order](https://www.fcc.gov/document/70-80-90-ghz-band-proposal-expanded-use) that seeks comment on proposals to explore new and innovative commercial uses of the 70, 80, and 90 GHz bands ([Vol. XVII, Issue 23](https://www.fcc.gov/document/70-80-90-ghz-band-proposal-expanded-use)). The NPRM proposes updating the link registration process and modifying its antenna rules to allow for smaller antennas in the bands. It also seeks comment on authorizing point-to-point links to endpoints in motion in these bands to provide broadband internet access aboard aircraft and ships.

**FCC Adopts Clarification of Wireless Infrastructure Rules**

The FCC released a [Declaratory Ruling and Notice of Proposed Rulemaking](https://www.fcc.gov/document/fcc-adopts-clarification-wireless-infrastructure-rules) last week that clarifies and seeks comment on its rules governing state and local government review of modifications to existing wireless infrastructure ([Vol. XVII, Issue 21](https://www.fcc.gov/document/fcc-adopts-clarification-wireless-infrastructure-rules)). The Declaratory Ruling clarifies when the 60-day shot clock for review begins as well as the definition of “substantial change.” In the Notice of Proposed Rulemaking, the Commission seeks comment on its proposal to clarify the definition of “site” and amend its rules to provide eligibility for streamlined processing of certain modifications that require ground excavation.

**Telecom Co-ops Qualify for PPP Loans**

The U.S. Small Business Administration (SBA) issued an [Interim Final Rule on Eligibility of Certain Telephone Cooperatives](https://www.sba.gov/document/telecom-co-ops-qualify-ppp-loans) last week that declares certain telephone cooperatives eligible for the Paycheck Protection Program (PPP). The ruling clarifies that telephone cooperatives organized under § 501(c)(12) of the Internal Revenue Code are eligible PPP borrowers, as long as they meet certain other requirements. These requirements include satisfying the employee-based size standard established in the CARES Act, SBA’s employee-based size standard corresponding to its primary industry, if higher, or both tests in SBA’s “alternative size standard.”

© 2020 Keller and Heckman LLP