



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES FILING WINDOW AND PROCEDURES FOR 3650-3700 MHZ BAND LICENSEES TO FILE SUPPLEMENTAL INFORMATION NECESSARY FOR CREATING GRANDFATHERED WIRELESS PROTECTION ZONES

GN Docket No. 12-354

By this Public Notice, the Wireless Telecommunications Bureau (WTB or Bureau) announces April 7, 2017, as the start of a four month window for incumbent licensees in the 3650–3700 MHz band to file supplemental information required to define their Grandfathered Wireless Protection Zone within the framework for deployment of the Citizens Broadband Radio Service (CBRS). Below, the Bureau details the procedures that must be followed when filing an application to establish a protection zone for incumbent operations.

The deadline for filing an application to be afforded protection is August 7, 2017. Licensees who do not meet this deadline may continue to operate, but will not be afforded protection from interference caused by new CBRS operations.

1. BACKGROUND

On April 17, 2015, the Commission adopted a *Report and Order and Second Further Notice of Proposed Rulemaking (3.5 GHz Order)* that established the new CBRS in the 3550-3700 MHz band (3.5 GHz Band).¹ In the *3.5 GHz Order*, the Commission adopted rules to protect existing licensees' registered base stations in the 3650-3700 MHz band from harmful interference from CBRS users for a fixed transition period.² The Commission stated that existing licensees will receive protection for operations that are within their Grandfathered Wireless Protection Zone for a period of time provided that: (1) the stations were registered in the Commission's Universal Licensing System (ULS) on or before April 17, 2015; and (2) as of a year later (April 17, 2016) the stations were constructed, in service, and

¹ *Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket 12-354, Report and Order and Second Further Notice of Proposed Rulemaking, 30 FCC Rcd 3959 (2015) (*3.5 GHz Order*).

² *Id.* at 4075-80, paras. 400-412. 3650 MHz Band incumbent users will receive protection for five years after the *3.5 GHz Order* adoption date of April 17, 2015, or for the remainder of the license term, whichever is longer, with the exception that Part 90 incumbents licensed after January 8, 2013, will be limited to a protection period of five years after the *3.5 GHz Order* adoption date. See *3.5 GHz Order* 30 FCC Rcd at 4075-76, para. 400.

fully compliant with the relevant operating rules.³ The Commission provided that Grandfathered Wireless Protection Zones will be defined using methodology determined by WTB and the Office of Engineering and Technology (OET).⁴

On August 19, 2016, WTB and OET released a Public Notice (*3650-3700 MHz Band Protection Contours Public Notice*) announcing the methodology for determining the protected contours for grandfathered 3650-3700 MHz band licensees.⁵ The *3650-3700 MHz Band Protection Contours Public Notice* established a two-prong approach that defines the Grandfathered Wireless Protection Zone around each eligible registered base station as follows: (1) for sectors encompassing *unregistered* customer premise equipment (CPE), a 5.3 km radius sector from each registered base station based on the azimuth and beam width registered for that base station; and (2) for sectors encompassing *registered* CPE, a sector centered on each base station with the registered azimuth and beam width covering all registered subscriber stations within that sector.

The *3650-3700 MHz Band Protection Contours Public Notice* indicated that, once the requisite functionality in ULS has been established, the agency would communicate to licensees in the 3650-3700 MHz band the process by which they must submit information to establish the Grandfathered Wireless Protection Zones. We do so below.⁶

2. WHAT MUST BE FILED

As discussed in the *3650-3700 MHz Band Protection Contours Public Notice*,⁷ certain information must be provided in order to establish the Grandfathered Wireless Protection Zone. Specifically, licensees must:

- (1) Identify the relevant base stations registered in ULS as of April 17, 2015, that will be used to define the Grandfathered Wireless Protection Zone;
- (2) Certify that the stations were constructed, operational, and in compliance with the Commission's Rules as of April 17, 2016;
- (3) Identify whether unregistered and/or registered CPE is being used with that base station; and
- (4) If registered CPE equipment is being used – specify the distance to the furthest registered CPE.⁸

3. REGISTERING TO FILE SUPPLEMENTAL INFORMATION

To access to the application tool, licensees must, if they have not already done so, first register for a new FCC username account and link the FCC Registration Number (FRN) associated with their existing 3650-3700 MHz license to the FCC username account.

³ *Id.* at 4078, para. 406.

⁴ 47 C.F.R. § 96.3.

⁵ See *Wireless Telecommunications Bureau and Office of Engineering and Technology Announce Methodology for Determining the Protected Contours for Grandfathered 3650–3700 MHz Band Licensees*, GN Docket No. 12-354, Public Notice, 31 FCC Rcd 9037 (WTB/OET 2016) (*3650-3700 MHz Band Protection Contours Public Notice*).

⁶ See *id.* at 9043, para. 21.

⁷ See *id.* at 9042, para. 20.

⁸ To assist in determining the distance to the furthest registered CPE and to ensure that licensees are identifying properly registered CPEs, the application tool will require that applicants select the furthest registered CPE from a list of those facilities that have been registered and will automatically calculate the distance to that CPE.

- To register for a FCC username account, licensees should follow the instructions provided here: https://apps.fcc.gov/cores/html/Register_New_Account.htm.
- To associate the user account with an FRN, licensees should follow the instructions provided here: https://apps.fcc.gov/cores/html/Associate_Username_to_FRN.htm
- Once registered, licensees will be able to provide the supplemental information by logging in here: <https://www.fcc.gov/licensing-databases/fcc-user-login>

4. FILING AND PROCESSING OF SUPPLEMENTAL INFORMATION

When a licensee logs in to the system and selects the “3650” tab, the licensee will first be presented with the option to view a list of 3650-3700 MHz service call signs or a list of 3650-3700 MHz locations that have been associated with their account based on the FRN that was associated with their FCC username account. Both lists will provide access to base stations which were registered in ULS on or before April 17, 2015.⁹ Only base stations may be used to define the licensee’s Grandfathered Wireless Protection Zone.¹⁰ From “My 3650 Call Signs,” a licensee can select a call sign to display a list of locations associated with the call sign. Licensees can click on individual locations and fill in the supplemental information on a form. The tab for “My 3650 Locations” provides the option to identify base stations in this list view, or to click on individual locations and fill in the supplemental information on a form. The tool is designed with validations and certain responses may require the licensee to enter additional explanation or justification.¹¹ Once all the required information has been entered, the licensee will certify and submit its protection zone application.

If the submitted supplemental information passes all validations, the system will automatically accept the protection zone application. If any of the responses required explanation, or the application does not pass all validations, the system will change the status of the application from “saved” to “submitted” and the application will be reviewed by Bureau staff. After review, licensees will be notified whether an application has been accepted or rejected.¹² A base station will only be entitled to grandfathered protection if the protection zone application is accepted. Licensees may amend their protection zone application prior to or after Commission review and resubmit their application with new information up until August 7, 2017.

5. SPECIAL CASE

If the licensee is using 3650-3700 MHz equipment for a point-to-point application, the user will register each end of the point-to-point link separately as a base station and identify the receive location for that end of the point-to-point link as the furthest registered CPE.

⁹ The initial list of locations is pre-filtered to show locations that are registered with equipment that the FCC understands to be either base station or point-to-point/dual use equipment based on information that was submitted in the equipment type certification or from other sources. There are four FCC designated equipment types – Base, CPE, Dual Use/Pt-to-Pt, and Undefined.

¹⁰ Licensees will have an option to remove the filter from the initial list of base stations to show all locations that are registered under their call sign. If a licensee selects a location with equipment that is not designated as base station equipment or dual use/point-to-point, the licensee will be required to explain how the location qualifies as a base station.

¹¹ For example, the furthest registered CPE must be located within the beam of the registered base station sector. Also, if the licensee selects a CPE that is further than 18 km away from the base station, the licensee will be required to explain how the base station is capable of providing service to that CPE.

¹² Applications may be rejected in limited circumstances where the licensee fails to justify configurations or parameters that exceed the validations. *See supra* notes 11 and 12.

6. WHERE TO FIND HELP

Bureau staff will be conducting webinars to demonstrate the filing tool. Dates and times for those webinars will be posted at www.fcc.gov/3650-3700-mhz-radio-service. Links to the recorded webinar and additional tutorials will also be available at this location.

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