



PUBLIC NOTICE

Federal Communications Commission
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Report No. SPB-282

DA 20-779
July 22, 2020

INTERNATIONAL BUREAU SEEKS COMMENTS ON SATELLITE INDUSTRY ASSOCIATION PETITION FOR RECONSIDERATION OF PUBLIC NOTICE ISSUING GUIDANCE ON SITING METHODOLOGIES FOR EARTH STATIONS SUBJECT TO SECTION 25.136

IB Docket No. 17-172

Comment Date: August 21, 2020
Reply Comment Date: September 8, 2020

By this Public Notice the International Bureau (Bureau) seeks comment from interested parties on a Petition for Reconsideration filed by the Satellite Industry Association (SIA) on July 16, 2020.¹ SIA filed the petition in response to the International Bureau's public notice providing guidance on methodologies to implement section 25.136 of the Commission's rules which specifies conditions under which Fixed-Satellite Service (FSS) earth stations can operate in certain bands shared with Upper Microwave Flexible Use Service (UMFUS).²

In the *Spectrum Frontiers First Report and Order*, the Commission adopted section 25.136 to specify conditions under which FSS earth stations can coexist with UMFUS operations in the 27.5-28.35 GHz and 37.5-40.0 GHz bands.³ The Commission also directed the Bureau to issue a public notice seeking comment on earth station interference zone and protection zone calculation methodologies and on

¹ Satellite Industry Association, Petition for Reconsideration of International Public Notice on Siting Methodologies for Earth Stations Seeking to Operate in the 24.75-25.25 GHz, 27.5-28.35 GHz, 37.5-40 GHz, 47.2-48.2 GHz, and 50.4-51.4 GHz Frequency Bands to Demonstrate Compliance with Section 25.136 (filed July 16, 2020).

² Public Notice, International Bureau Issues Guidance on Siting Methodologies for Earth Stations Seeking to Operate for Earth Stations Seeking to Operate in the 24.75-25.25 GHz, 27.5-28.35 GHz, 37.5-40.0 GHz, 47.2-48.2, and 50.4-51.4 GHz Frequency Bands to Demonstrate Compliance with Section 25.136, IB Docket No. 17-172, DA 20-631 (June 16, 2020) (Guidance Public Notice).

³ *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 8014 (2016). (*Spectrum Frontiers First Report and Order*).

best practices for siting earth stations.⁴ This Public Notice was released on June 21, 2017.⁵ Based on comments, *ex parte* presentations, and experience in processing earth station applications, the Bureau released the Guidance Public Notice to provide applicants with a better understanding of the Bureau's expectations regarding earth station applications subject to section 25.136 and to provide applicants flexibility in how they comply with the rule.⁶

SIA requests that the International Bureau reconsider several portions of the Public Notice, specifically that the Bureau: (1) eliminate limitations on earth station co-location that conflict with Commission rules; (2) revert to the definition of a “Highway” adopted by the Commission; (3) allow applicants more flexibility in providing antenna pattern demonstrations; (4) permit the use of clear sky EIRP levels; and (5) remove the requirement to aggregate population values for all licensed points of communications.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before August 21, 2020, and reply comments on or before September 8, 2020. All filings must refer to IB Docket No. 17-172. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) by accessing ECFS at <http://apps.fcc.gov/ecfs/>. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

·In addition, provide an electronic copy of each filing to Paul Blais at Paul.Blais@fcc.gov.

·Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

·As of March 19, 2020, the FCC is not accepting hand-delivered or messenger-delivered paper filings at FCC Headquarters due to the COVID-19 pandemic.⁷

·Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

⁴ *Spectrum Frontiers First Report and Order*, 31 FCC Rcd at 8051, paras. 54, 93 n.120 & n.223.

⁵ Public Notice, *International Bureau Seeks Comment on Implementing Earth Station Siting Methodologies*. IB Docket No. 17-172, 32 FCC Rcd 5044 (Int'l Bur. July 21, 2017).

⁶ Subsequently, the Commission released additional orders in the *Spectrum Frontiers* proceeding addressing the 24.75-25.25 GHz, 47.2-48.2 GHz, and 50.4-51.4 GHz bands in section 25.136. The methodologies presented in the Guidance Public Notice are intended to be used for all frequency bands covered by section 25.136. See *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services et. al.*, Second Report and Order, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, and Memorandum Opinion and Order, 32 FCC Rcd 10988 (2017); *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services et. al.*, Third Report and Order, Third Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order, 33 FCC Rcd 5576 (2018) (adopting rules for FSS operations in the 27.5-28.35 GHz and 38.6-40 GHz bands); *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, Fifth Report and Order, 34 FCC Rcd 2556 (2019) (adopting rules for FSS earth station operations in the 50.4-51.4 GHz band).

⁷ *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*, Public Notice, DA 20-304 (OMD Mar. 19, 2020).

·U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

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For further information about this notice please contact Paul Blais at (202) 418-7274 or Paul.Blais@fcc.gov, or Kal Krautkramer at (202) 418-1335 or Kal.Krautkramer@fcc.gov

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