



# PUBLIC NOTICE

**Federal Communications Commission**  
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DA 23-195

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## WIRELESS TELECOMMUNICATIONS BUREAU AND OFFICE OF ENGINEERING AND TECHNOLOGY SEEK COMMENT ON SAMSUNG'S WAIVER REQUEST TO ENABLE MULTIBAND RADIOS FOR THE 3.5 GHZ AND 3.7 GHZ BANDS

**WT Docket No. 23-93**

**Comment Date: March 27, 2023**

**Reply Comment Date: April 4, 2023**

The Wireless Telecommunications Bureau and Office of Engineering and Technology seek comment on a petition for waiver<sup>1</sup> and supplemental letter<sup>2</sup> filed by Samsung Electronics America, Inc. (Samsung). Samsung seeks a waiver of section 96.41(e) of the Commission's rules,<sup>3</sup> which sets out-of-band emission (OOBE) limits for devices operating in the Citizens Broadband Radio Service in the 3.55-3.7 GHz band (3.5 GHz band), as well as a conforming waiver of section 2.947(f),<sup>4</sup> which establishes the procedure for emission measurements of a composite system for equipment authorization purposes. Samsung requests these waivers to facilitate the marketing and operation of a base station radio that supports operations across the 3.5 GHz and 3.7 GHz Services for customers that plan to provide service in both services.<sup>5</sup> Samsung requests this relief to permit the testing and authorization of its device while it exceeds the Citizens Broadband Radio Service OOBE limits within the 3720-4000 MHz range.<sup>6</sup>

*Filing Requirements.* Interested parties may file comments on or before the date indicated on the first page of this document.<sup>7</sup> All filings must refer to Docket No. 23-93. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>8</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <http://apps.fcc.gov/ecfs/>.

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<sup>1</sup> Petition of Samsung Electronics America, Inc. for Waiver, Docket No. 23-93, (filed Aug. 23, 2022), [https://www.fcc.gov/ecfs/document/10\\_823066036951/1](https://www.fcc.gov/ecfs/document/10_823066036951/1) (Waiver Petition).

<sup>2</sup> Letter from John Godfrey, Senior Vice President, Public Policy, Samsung Electronics America, Inc., to Marlene H. Dortch, Secretary, FCC, Docket No. 23-93 (filed Mar. 1, 2023) (supplementing its waiver petition).

<sup>3</sup> 47 CFR § 96.41(e).

<sup>4</sup> 47 CFR § 2.947(f).

<sup>5</sup> See Waiver Petition at 1.

<sup>6</sup> *Id.* at 1, 5.

<sup>7</sup> See 47 CFR §§ 1.2, 1.405, and 1.419.

<sup>8</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121-01 (1998).

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
- 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.
- 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. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.<sup>9</sup>

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

*Ex Parte Rules.* The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>10</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission’s rules. In proceedings governed by section 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf).<sup>11</sup> Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information regarding this proceeding, please contact Alice Koethe, Mobility Division, Wireless Telecommunications Bureau at [Alice.Koethe@fcc.gov](mailto:Alice.Koethe@fcc.gov).

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<sup>9</sup> See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

<sup>10</sup> 47 CFR §§ 1.1200 *et seq.*

<sup>11</sup> *Id.* § 1.1206(b).