



Federal Communications Commission
Washington, D.C. 20554

July 23, 2018

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515


Dear Congresswoman Eshoo:

Thank you for your letter regarding the millimeter wave spectrum once held by Straight Path and Fiber Tower. As you know, for several years, the Commission struggled to ensure that this spectrum was properly built out and put to its highest and best use. Those efforts culminated in a consent decree between the Enforcement Bureau and Straight Path in January 2017, followed by a similar settlement agreement between the Wireless Telecommunications Bureau and Fiber Tower in January 2018. Together, these agreements required the return of over 200 licenses in the 39 GHz band and the clearing of 24 GHz band, along with substantial penalty payments to the U.S. Treasury.

On July 2, 2018, the Commission unanimously upheld these agreements along with the following transfers of licenses to new owners. It did so in large part to accomplish the very goals we both share—moving forward with deploying high-speed broadband services in these bands and scheduling new high-band spectrum auctions. As the Commission put it, “[e]nding the litigation [associated with these holdings] will help to restore regulatory certainty concerning the status of licensing in the 24 and 39 GHz bands, including identifying unassigned spectrum that could be licensed under the new Upper Microwave Flexible Use Service rules, and permitting service to be deployed more efficiently and expeditiously in these bands.” Or to put it a different way, the bipartisan approval of these agreements was critical to the Commission’s ability to move forward with auctions of the 24 GHz and 28 GHz bands in the near term, as well as our ability to schedule an auction of the Upper 37 GHz, 39 GHz, and 47 GHz bands in 2019. These steps will help extend U.S. leadership in 5G.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,


Ajit V. Pai