

October 28, 2019

The Honorable Ajit V. Pai, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai:

As the Federal Communications Commission (Commission or FCC) considers its options for the disposition of C-Band spectrum,¹ we write to express our strong preference for a public auction of C-band spectrum rather than a private sale, as some stakeholders have proposed. Given the importance of this spectrum band to 5G and bridging the digital divide, the Commission must fulfill its mandate to ensure that all aspects of the reallocation and transfer of spectrum are done in the public interest. Moreover, a private sale will transfer revenue out of the hands of the American taxpayer, and into the pockets of foreign satellite companies.

As you know, C-Band spectrum has a robust capability to carry large amounts of wireless data relatively far distances, making it valuable spectrum. Pushing more spectrum into the marketplace, including mid-band spectrum such as C-Band, will stimulate the deployment of innovative technologies, including 5G. In addition, reallocating this spectrum for licensed wireless use could help close the digital divide – a priority shared by FCC Commissioners and Members of Congress alike – by making more wireless spectrum available to rural carriers and increasing rural broadband deployment in underserved and unserved communities and to ensure that those using C-Band service today have an alternative of equal or better quality.

Congress was unequivocal in the Communications Act that the Commission should manage commercial spectrum in a way that “includes safeguards to protect the public interest.”² Therefore, in keeping with the Commission’s work on previous spectrum auctions, the Commission should pursue an auction of C-Band that is transparent, that provides accountability, and which is led solely by the Commission. We believe the Commission is the foremost expert in conducting spectrum auctions, has an obligation to put consumers first, and therefore should not cede this authority to private parties. Americans who already lack access to broadband services cannot afford to be disadvantaged by a private spectrum sale that could make the digital divide worse.

¹ Federal Communications Commission, *In the Matter of Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order and Notice of Proposed Rulemaking, GN Docket No. 18-122, FCC 18-91 (July 13, 2018), para. 10.

² 47 U.S.C. §309(j)(3)

Thank you for your time and attention to this urgent matter.

Most gratefully,



Tom O'Halleran
Member of Congress




Peter Welch
Member of Congress



Anna G. Eshoo
Member of Congress



David Loeb sack
Member of Congress



Jerry McNerney
Member of Congress



G.K. Butterfield
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Yvette Clarke
Member of Congress



Tony Cardenas
Member of Congress

cc: The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Geoffrey Starks, Commissioner