



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 3, 2019

The Honorable Angus King
United States Senate
133 Hart Senate Office Building
Washington, DC 20510

Dear Senator King:

Thank you for your letter regarding the Federal Communications Commission's recent rulemaking proceeding modernizing the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. The Commission recently adopted a Report and Order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

The spectrum that is the focus of this Report and Order is the single largest contiguous swath of mid-band spectrum below 3 GHz in the nation, and it features a combination of coverage and capacity that is attractive for 5G applications and services. But today, this valuable public resource is dramatically underused. Technological advances have rendered the 2.5 GHz band's original intended uses outdated, and arcane rules have also hampered providers from putting the spectrum to its highest-valued use.

At long last, this past July, the FCC reformed the rules for the 2.5 GHz band to put it to use for American consumers. These reforms give incumbents greater flexibility in their use of the spectrum and introduce a spectrum auction that will ensure that this public resource finally is devoted to its highest-valued use. These measures will result in more efficient and effective use of these airwaves and represent the latest step in advancing U.S. leadership in 5G.

Significantly, we also gave federally recognized American Indian Tribes and Alaska Native Villages an exclusive window to obtain this spectrum to serve rural Tribal lands. Here's why. As I've seen for myself—from the Rosebud Sioux Reservation in South Dakota to the Navajo Nation in Arizona, from the Coeur D'Alene Reservation in Idaho to the Jemez and Zia Pueblos in New Mexico—the digital divide is most keenly felt in Indian Country. I want to make sure that those committed to connecting Tribal members in rural areas are given a strong opportunity to succeed. A Tribal priority filing window will help some of the most marginalized communities in the country benefit from services delivered using these airwaves.

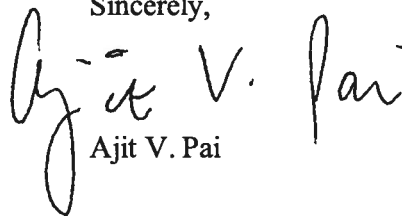
Following the Tribal priority window, we will offer overlay licenses for commercial use of the remaining 2.5 GHz band through a spectrum auction. Accordingly, we declined to adopt priority windows for non-incumbent educational institutions or incumbent licensees or to automatically expand the holdings of incumbent licensees. Here's why. Experience suggests that the past is highly likely to be prologue. An overwhelming number of today's EBS licensees lease their EBS spectrum to wireless companies. They don't use it for educational purposes.

Indeed, the current license-holders for over 95% of the 2,195 EBS licenses lease much of this spectrum to non-educators. This longstanding arbitrage has been unhelpful to consumers for many years, and extending this middleman model is not justified. And as Commissioner Carr's inquiries this summer suggested, the FCC would be foolish, if not derelict in its duty, to allow entities to monetize this spectrum nationwide for purposes that have little to nothing to do with educating children. That would exacerbate rather than close the homework gap.

Our approach serves the public interest. We adopted an overlay auction with county-size licenses and a band plan that benefits all operators. We also adopted bidding credits for small entities. This approach will encourage small companies to participate—companies like Midco, Carolina West Wireless, Pioneer Cellular, Viaero Wireless, AST Telecom, Wave Wireless, and Paladin Wireless. These are the foot soldiers of the digital revolution in rural and low-income America. These are the providers that will use this public resource to benefit the entire public. And these are the companies that support our approach as set forth in the Report and Order.

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

Sincerely,

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Ajit V. Pai



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December 3, 2019

The Honorable Patty Murray
United States Senate
154 Russell Senate Office Building
Washington, DC 20510

Dear Senator Murray:

Thank you for your letter regarding the Federal Communications Commission's recent rulemaking proceeding modernizing the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. The Commission recently adopted a Report and Order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

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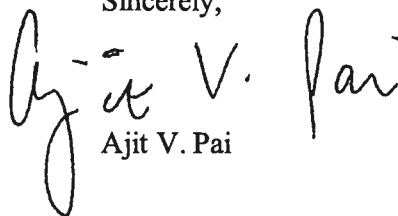
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Ajit V. Pai



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WASHINGTON

OFFICE OF
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December 3, 2019

The Honorable Susan Collins
United States Senate
413 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Collins:

Thank you for your letter regarding the Federal Communications Commission's recent rulemaking proceeding modernizing the 2.5 GHz band, specifically addressing the Educational Broadband Service (EBS) portion of that band. The Commission recently adopted a Report and Order aiming to maximize the potential of the 2.5 GHz band to bring advanced wireless services to those who for too long have been on the wrong side of that divide.

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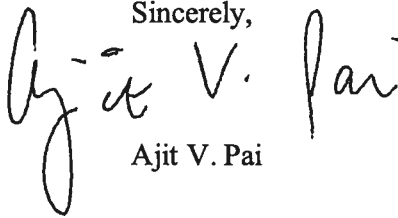
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