



Congressman Don Bacon
Second Congressional District of Nebraska

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November 1, 2019

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

Dear Chairman Pai,

As the Federal Communications Commission (FCC) deliberates over its next steps regarding the Commission's Notice of Proposed Rulemaking to allow unlicensed use in the critically important, heavily used 6 GHz spectrum band, we ask that you ensure your proposal will not result in harmful interference to incumbent critical infrastructure communications systems, given the band's importance to critical, life-sustaining industries.

Since the FCC first proposed opening the band to unlicensed use in October 2018, critical infrastructure industries (CII) of all kinds, including electric, water, and natural gas utilities, have raised concerns about whether this proposal will protect their mission-critical systems from harmful interference caused by unlicensed use. As these entities provide critical, life-sustaining services, it is essential that the FCC protect these industries from harmful interference.

Electric, water, and natural gas utilities use the 6 GHz band for mission-critical communications, including reliability monitoring, emergency response, storm restoration, and situational awareness. The 6 GHz band is well-suited to provide utilities and other CII with the long-distance, high-speed communications these essential services require. Harmful interference to these systems could reduce a utility's ability to respond to problems or abnormalities on their control systems, which in turn could reduce their situational awareness and potentially compromise reliability. If this band can no longer be relied upon for these functions, this would be akin to removing a tried and tested tool from a utility's toolbox to manage reliability and resilience of critical infrastructure.

In Nebraska, for example, the Nebraska Public Power District uses the 6 GHz band for the following mission-critical purposes such as teleprotection, Supervisory Control and Data Acquisition (SCADA), and other critical reliability functions. It also shares the band with the state's public safety agency, meaning that interference in the band will not only impact critical infrastructure, but also the public safety officials keeping us safe.

Importantly, utilities and other CII use the 6 GHz band for such mission-critical functions because it is a licensed band. While interference can and does occur in this band presently,

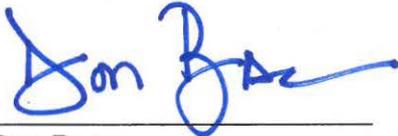
operators are able to manage this risk because the users in the band are known to each other. If an unlicensed user causes interference, utilities and other CII are concerned there may be no way of tracking down the cause of the problem because the user would be unknown.

Because of how critical electricity, water, and natural gas services are to our economy and lifestyles, putting these systems at risk would be bad for all. Therefore, the Commission must ensure that these incumbent mission-critical systems are protected. Utilities already plan their systems to withstand all kinds of hazards, including high-risk, low-probability events. The 6 GHz band is a major part of our utilities' playbook for responding to these challenges, and this proposal should not put this playbook at risk.

We are well aware of the need to make more spectrum available to meet our nation's wireless needs. Spectrum is a finite resource and we appreciate the Commission's continued efforts to make efficient and effective use of this resource. However, the Commission must ensure it will protect the CII users in the 6 GHz band from harmful interference, as many of these CII incumbents believe they do not have alternatives to the 6 GHz band.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,



Don Bacon
Member of Congress