

## Connie Diaz

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**From:** Keith Harper  
**Sent:** Monday, April 20, 2020 12:12 PM  
**To:** David Kaufman  
**Cc:** Charles Mathias; Cecilia Sulhoff; Connie Diaz  
**Subject:** Authorization Granted: 700 MHz Emergency STA Request - NTUA Wireless, LLC  
**Attachments:** 700 MHz STA Request Letter COVID-19.pdf

Mr. Kaufman,

The request by ATN International, Inc., on behalf of its subsidiary, NTUA Wireless, LLC, for an emergency STA to operate on the 700 MHz band lower A Block spectrum in BEA 156 (Albuquerque, NM) within the partition area described by the applicant (licensed to T-Mobile under call sign WQLA793) is granted via this email. This STA covers only operations in BEA 156, and does not permit operations in the partition area outside of BEA 156 regardless of whether such areas were included in the underlying request. NTUA will be using this spectrum to provide relief during the state-of emergency caused by the spread of COVID-19 throughout the United States.

The grant is valid for a period of 60 days, provided ATN or NTUA files, within 10 days of today's date (April 20, 2020), a formal application for an STA using FCC Form 601. In addition, ATN or NTUA should email a copy of the STA application to the FCC staff members on this email. The mailing addresses for courier/messenger delivery and for delivery by the U.S. Postal Service are listed at the bottom of this email.

This STA is authorized on a secondary non-interference basis. NTUA must cease operating on these frequencies if it causes harmful interference to any primary users. Operations under this STA must be consistent with the technical rules applicable to this spectrum. NTUA must cease its operations on this spectrum at the expiration of this STA, or if T-Mobile withdraws its approval for NTUA's use of this spectrum (whichever comes first). Any structure utilized to operate pursuant to this STA must comply with the height limitations specified in Section 17.7 of the Commission's rules or must be registered with the FAA.

STA applications being delivered via a courier or by messenger service must be sent to the address below:

Federal Communications Commission  
9050 Junction Drive  
Annapolis Junction, MD 20701

STA applications being delivered by the U.S Postal Service must be sent to the address below:

Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325

Keith D. Harper  
Associate Chief, Mobility Division  
Wireless Telecommunications Bureau



***NTUA WIRELESS, LLC  
1001 TECHNOLOGY DRIVE  
LITTLE ROCK, AR 72223  
501-448-1249***

***APRIL 17, 2020***

***Via E-Mail***

Donald Stockdale  
Chief, Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington DC, 20554

**Re: Emergency Request for Special Temporary Authority**

Dear Mr. Stockdale:

ATN International, Inc. (“ATN”),<sup>1/</sup> on behalf of its subsidiary, NTUA Wireless, LLC (“NTUAW”)<sup>2</sup> and pursuant to Section 1.931 of the Commission’s rules and the guidance recently released by the Wireless Telecommunications Bureau (“Bureau”),<sup>3/</sup> hereby requests emergency special temporary authority (“STA”) to use spectrum in the 700 MHz lower A-block band for which it is not licensed. NTUAW will use this spectrum to provide enhanced wireless broadband services for a period of sixty (60) days from Commission action to help keep Americans on the Navajo Nation Tribal Lands connected during the ongoing novel coronavirus pandemic. ATN seeks Commission action as part of its Keep Americans Connected Pledge to help citizens overcome current challenges that have required them to remain socially distant.<sup>4/</sup>

***STA is in the Public Interest***

With each passing day, more Americans are being separated from each other as the United States continues to fight against the novel coronavirus. Americans have been directed to

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<sup>1/</sup> ATN is a publicly-traded company.

<sup>2</sup> NTUAW is owned 49% and managed by ATN. NTUAW is owned 51% by the Navajo Tribal Utility Authority, an instrumentality of the Navajo Nation government.

<sup>3/</sup> See 47 C.F.R. § 1.931(a)(2)(iv); *Wireless Telecommunications Bureau Provides Guidance on Requesting Special Temporary Authority and Waivers in Response to COVID-19*, Public Notice, DA 20-365 (rel. Apr. 1, 2020) (“*STA and Waiver Guidance*”).

<sup>4/</sup> See News Release, *Chairman Pai Launches the Keep Americans Connected Pledge*, FCC (Mar. 13, 2020), <https://docs.fcc.gov/public/attachments/DOC-363033A1.pdf>

work from home and take classes remotely.<sup>5/</sup> One of the hardest-hit areas in this country has been the Navajo Nation, the largest Tribal reservation area, in terms of both population and land area.<sup>6</sup> Through NTUAW, ATN can help alleviate the ravages of this virus upon residents of this Tribal area.

As the Commission is aware, ATN, and in particular its NTUAW subsidiary, has been a leader in bringing quality wireless services to the Navajo Nation for a number of years. NTUAW holds certain spectrum lease authority in its own name, and also operates all of the other ATN-licensed facilities within the Navajo Nation, operating primarily in the 600 MHz, cellular, 700 MHz, AWS and broadband PCS bands. However, given that the Navajo Nation is approximately the same size as the state of West Virginia, there are numerous gaps in the ATN/NTUAW coverage areas, as well as areas where coverage is bandwidth-limited, and therefore capacity-limited.

Accordingly, ATN hereby requests, on a 60-day emergency basis, to use a partition area of the spectrum currently licensed to T-Mobile USA under call sign WQLA793, as depicted in the attached kmz file. T-Mobile has consented to NTUAW's use of the spectrum.<sup>7/</sup> T-Mobile is not currently using the licensed spectrum and has agreed to support NTUAW's temporary use of it in support of the Keep Americans Connected Pledge.

### ***Requested Rule Waivers***

ATN recognizes that the Commission's rules generally require that STA requests be submitted electronically on FCC Form 601.<sup>8/</sup> Accordingly, it hereby requests waiver of that rule. Waiver is justified because, as the Commission acknowledges, the Universal Licensing System is not optimized to allow applicants to seek permission to use 700 MHz spectrum for which an

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<sup>5/</sup> See, e.g., *FCC Encouraging Staff to Telework Due to Coronavirus*, COMM. DAILY (Mar. 12, 2020); Melissa Korn, *Coronavirus Prompts Colleges to Send Students Home*, WALL STREET JOURNAL (Mar. 10, 2020), <https://www.wsj.com/articles/coronavirus-prompts-colleges-to-send-students-home-11583862936?mod=djem10point>; Ben Chapman, *New York City Shuts Two Public Schools Over Coronavirus Case*, WALL STREET JOURNAL (Mar. 12, 2020), <https://www.wsj.com/articles/new-york-city-shuts-two-public-schools-over-coronavirus-case-11584019007?mod=djem10point>.

<sup>6</sup> See, e.g., <https://www.washingtonpost.com/climate-environment/2020/04/04/native-american-coronavirus/>, last viewed on April 8, 2020 at 1:10 pm EDT; [https://www.washingtonpost.com/health/number-of-coronavirus-cases-rises-17percent-on-navajo-reservation/2020/04/11/2f9787c8-7c62-11ea-a311-adb1344719a9\\_story.html](https://www.washingtonpost.com/health/number-of-coronavirus-cases-rises-17percent-on-navajo-reservation/2020/04/11/2f9787c8-7c62-11ea-a311-adb1344719a9_story.html), last viewed on April 17, 2020 at 10:34 am EDT.

<sup>7/</sup> While ATN and T-Mobile may have otherwise sought to permit NTUAW's use of the spectrum through the usual Commission leasing process, ATN believes that waiver of the rules may be required, defeating the Commission's streamlined leasing procedures. Grant of this STA request will allow NTUAW to use the spectrum more quickly by alleviating the need for, by example, any spectrum aggregation or competition analysis.

<sup>8/</sup> See 47 C.F.R. § 1.931.

Donald Stockdale, Chief

April 17, 2020

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applicant is not authorized, on a temporary basis.<sup>9/</sup> Seeking STA through this letter is consistent with the Bureau's earlier guidance regarding COVID-19 emergency requests and will likely permit the Commission to act more quickly.

ATN looks forward to your response. If you have any questions, please contact our counsel on this matter, David J. Kaufman, Rini O'Neil, PC, tel. 202-997-0025, email [dkaufman@rinioneil.com](mailto:dkaufman@rinioneil.com).

Respectfully submitted,

/s/

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Rohan Ranaraja,  
Exec. Director, Regulatory

Enclosure (kmz file)

cc: David J. Kaufman  
Charles Mathias  
Stephen Buenzow  
Sommer Gilbert  
Roger Noel  
Keith Harper

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<sup>9/</sup> See FCC, WTB Special Temporary Authority and Waiver Request Filing Guide (last visited Apr. 2, 2020), <https://www.fcc.gov/research-reports/guides/wtb-special-temporary-authority-and-waiver-request-filing-guide>.