

## Connie Diaz

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**From:** Keith Harper  
**Sent:** Thursday, May 21, 2020 11:12 AM  
**To:** logan@vxvcommunications.com  
**Cc:** FCC Operations Center; Sean Spivey; Charles Mathias; Cecilia Sulhoff; Connie Diaz  
**Subject:** Authorization Granted: 5850-5895 MHz Emergency STA Request - VXV Communications, LLC  
**Attachments:** UNII-4 STA Request 2020.05.20.pdf

Mr. Freeman ,

The application for an emergency STA filed by VXV Communications, LLC on May 20, 2020 is granted via this email. The applicant will be using the 5850-5895 MHz band to provide relief during the state-of-emergency caused by the spread of COVID-19 throughout the United States. Applicant is advised that it must ensure proper protection of incumbents in the 5850-5895 MHz band and otherwise comply with the conditions described below.

This grant is for a period of 60 days, provided the applicant files a complete FCC Form 601 application for an STA to continue its operations in the 5850-5895 MHz band within 10 days of today's date (May 21, 2020). If applicant fails to file a complete FCC Form 601 application by this date, its STA will terminate at midnight on that date. Applicant's use of the 5850-5895 MHz band is authorized on a non-interference basis and is limited by the conditions described below.

By utilizing the 5850-5895 MHz band pursuant to this STA, the applicant agrees to the following conditions:

- It understands that operations under this STA are subject to the general conditions of operation set forth in Section 15.5 of the Commission's rules (including that its access is non-exclusive and not subject to interference protection). STA recipients with overlapping grants must work together to resolve interference concerns.
- It is responsible for ensuring that it does not cause interference to existing licensees. It must review existing DSRC licenses in this band to determine any nationwide, statewide, or countywide licenses that cover or are adjacent to its service area, as well as any site licenses that are near that service area. It must then contact each of these affected licensees before beginning operation and provide its contact information so that the licensee can inform it of interference issues. It may then begin operation; it need not await a response or approval. If a complaint of interference cannot be timely resolved, operation under this STA must cease. It may not operate within 2 kilometers of any site license, regardless of notification or actual interference.
- It will operate consistent with the power levels in Section 15.407(a)(3) of the Commission's rules.
- It will attenuate emissions at 5895 MHz to a level of -27dBm or less.
- It understands that any emergency STA grant is conditioned on the applicant filing a formal STA application on FCC Form 601 (Radio Service Code QQ) within 10 days of emergency STA grant. As part of that filing, it must provide a phone number which connects directly to a person who is able to immediately resolve any interference concerns arising from its operations pursuant to this STA.
- Upon expiration of this STA, it will cease operating in the 5850-5895 MHz band and retune equipment to operate in compliance with the Commission's equipment certifications; it will confirm with the

Bureau within 14 days of expiration that it has successfully returned all of its devices to be compliant with Commission certifications.

- It understands that operations under this STA shall protect federal radiolocation services operating in the 5850-5895 MHz band and, to afford such protection, operations under this STA are prohibited within 75 kilometers of the locations listed in the table below and any additional sites specified by the Commission after initial grant.
- It understands that 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.

The following are federal radiolocation services locations. Operations under this STA are not permitted within 75 kilometers of these locations:

| <b>Location</b>                    | <b>State</b> | <b>Latitude</b> | <b>Longitude</b> |
|------------------------------------|--------------|-----------------|------------------|
| Ft. Rucker                         | AL           | 311947N         | 0854255W         |
| Redstone Arsenal                   | AL           | 343630N         | 0863610W         |
| Ft. Huachuca                       | AZ           | 313500N         | 1102000W         |
| Yuma Proving Grounds               | AZ           | 330114N         | 1141855W         |
| Naval Ocean Systems Center         | CA           | 324500N         | 1171000W         |
| Space and Missile Systems Center   | CA           | 335500N         | 1182200W         |
| Pacific Missile Test Center        | CA           | 340914N         | 1190524W         |
| Vandenberg AFB                     | CA           | 344348N         | 1203436W         |
| Edwards AFB                        | CA           | 345400N         | 1175200W         |
| Ft. Irwin                          | CA           | 351536N         | 1164102W         |
| Ft. Hunter Liggett                 | CA           | 355756N         | 1211404W         |
| Parks Reserve Forces Training Area | CA           | 374254N         | 1214218W         |
| SAN NICOLAS IS                     | CA           | 331447N         | 1193107W         |
| POINT MUGU                         | CA           | 340700N         | 1190900W         |
| VANDENBERG                         | CA           | 343458N         | 1203342W         |
| EDWARDS                            | CA           | 345739N         | 1175442W         |
| PILLAR PT                          | CA           | 372952N         | 1222959W         |
| Ft. Carson                         | CO           | 383810N         | 1044750W         |
| U.S. Air Force Academy             | CO           | 385800N         | 1044900W         |
| Naval Research Laboratory          | DC           | 385500N         | 0770000W         |
| Patrick AFB                        | FL           | 281331N         | 0803607W         |
| Tyndall AFB                        | FL           | 300412N         | 0853436W         |
| Eglin AFB                          | FL           | 302900N         | 0863200W         |
| SADDLEBUNCH                        | FL           | 243851N         | 0813622W         |
| VENICE                             | FL           | 270437N         | 0822703W         |
| MACDILL                            | FL           | 274843N         | 0823217W         |
| ANCLOTE                            | FL           | 281118N         | 0824740W         |
| CAPE SAN BLAS                      | FL           | 294039N         | 0852047W         |
| CARABELLEFIELD                     | FL           | 295038N         | 0843946W         |
| FORT WALTON BEACH                  | FL           | 302453N         | 0863958W         |
| EGLIN                              | FL           | 303047N         | 0863256W         |
| Ft. Stewart                        | GA           | 315145N         | 0813655W         |
| Hunter Army Airfield               | GA           | 320100N         | 0810800W         |

|   |    |         |          |
|---|----|---------|----------|
| Ft. Benning                                   | GA | 322130N | 0845815W |
| Ft. Gordon                                    | GA | 332510N | 0820910W |
| Ft. Gillem                                    | GA | 333600N | 0841900W |
| Ft. Shafter                                   | HI | 211800N | 1574900W |
| Ft. Riley                                     | KS | 385813N | 0965139W |
| Ft. Leavenworth                               | KS | 392115N | 0945500W |
| Ft. Campbell                                  | KY | 363950N | 0872820W |
| Ft. Knox                                      | KY | 375350N | 0855655W |
| Ft. Polk                                      | LA | 310343N | 0931226W |
| Hanscom AFB                                   | MA | 422816N | 0711725W |
| Naval Electronic Systems Engineering Activity | MD | 381000N | 0762300W |
| Mid-Atlantic Area Frequency Coordinator       | MD | 381710N | 0762500W |
| Naval Research Laboratory                     | MD | 383927N | 0763143W |
| Army Research Laboratory                      | MD | 390000N | 0765800W |
| Naval Surface Weapons Center                  | MD | 390205N | 0765900W |
| Aberdeen Proving Ground                       | MD | 392825N | 0760655W |
| PATUXENT RIVER                                | MD | 381749N | 0762235W |
| Ft. Leonard Wood                              | MO | 374430N | 0920737W |
| Ft. Bragg                                     | NC | 350805N | 0790035W |
| Ft. Dix                                       | NJ | 400025N | 0743713W |
| Ft. Monmouth                                  | NJ | 401900N | 0740215W |
| Picatinny Arsenal                             | NJ | 405600N | 0743400W |
| White Sands Missile Range                     | NM | 322246N | 1062813W |
| Holloman AFB                                  | NM | 322510N | 1060601W |
| Kirtland AFB                                  | NM | 350230N | 1063624W |
| WHITESANDS MISSILE RANGE                      | NM | 330000N | 1063000W |
| Nellis AFB                                    | NV | 361410N | 1150245W |
| NEVADA TEST SITE                              | NV | 363942N | 1155957W |
| NV TEST TRAINING RANGE                        | NV | 372460N | 1163000W |
| TONOPAH TEST RANGE                            | NV | 374400N | 1164300W |
| Griffiss AFB                                  | NY | 431315N | 0752431W |
| Ft. Drum                                      | NY | 440115N | 0754844W |
| Wright-Patterson AFB                          | OH | 394656N | 0840539W |
| Ft. Sill                                      | OK | 344024N | 0982352W |
| Naval Air Development Center                  | PA | 401200N | 0750500W |
| Charles E. Kelly Support Facility—Oakdale     | PA | 402357N | 0800925W |
| Arnold AFB                                    | TN | 352250N | 0860202W |
| Brooks AFB                                    | TX | 292000N | 0982600W |
| Ft. Hood                                      | TX | 310830N | 0974550W |
| Ft. Bliss                                     | TX | 314850N | 1062533W |
| Midway Research Center                        | VA | 382640N | 0772650W |
| NORFOLK                                       | VA | 365505N | 0761055W |
| WALLOPS ISLAND                                | VA | 375137N | 0753034W |
| Yakima Firing Center                          | WA | 464018N | 1202135W |
| Ft. Lewis                                     | WA | 470525N | 1223510W |

|           |    |         |          |
|-----------|----|---------|----------|
| Ft. McCoy | WI | 440636N | 0904127W |
| Marinette | WI | 450600N | 0873748W |

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

## **VXV, LLC**

### **Request for Special Temporary Authority**

Pursuant to Section 1.931(a)(2)(iv) of the Federal Communications Commission's ("FCC" or "Commission") Rules, 47 CFR § 1.931(a)(2)(iv), VXV, LLC ("VXV") hereby requests Special Temporary Authority ("STA") to deploy and provide point-to-multipoint service in the following counties in Texas:

Brazos  
Burlison  
Grimes  
Robertson

VXV seeks use of the 5850-5895 MHz band on a temporary basis for a period of 60 days. Grant of an STA would be consistent with the Commission's March 26, 2020 grant of emergency STA to 33 fixed wireless broadband providers ("WISP STA") and will help VXV meet the surge in consumer demand for residential fixed broadband services during the COVID-19 pandemic.

VXV is a fixed wireless internet service provider delivering voice and data services in rural areas of Texas to the residential, commercial, small business, education, healthcare and public sector markets. VXV relies primarily on unlicensed spectrum for last-mile connections to end users, including the 5 GHz U-NII bands. Many of VXV's customers have no other alternative to terrestrial broadband services.

As the COVID-19 has spread, federal and local governments have taken increasingly stronger steps to encourage "social distancing." These actions and warnings have resulted in more and more Americans working and learning from their homes, circumstances that are likely to continue for at least several weeks. Over the past few weeks, VXV has seen bandwidth usage increase by as much as 20 percent as more and more schools close and consumers practice "social distancing." We also provide service to many students/faculty for Texas A&M University which is currently switching, for the long-term, to include significant additional amounts of distance learning (streaming, online testing, etc).

To meet this increase in demand and to ensure that students, consumers, farms and businesses can stay connected with adequate broadband, VXV requires access to additional spectrum. VXV currently uses the U-NII bands to deliver fixed broadband service. The U-NII-4 band (5850-5925 MHz) is shared with the Dedicated Short-Range Communications ("DSRC") service (Radio Codes IQ and QQ) and certain federal users.

Pursuant to Section 1.931(a)(2)(iv) of the FCC's Rules, the Commission may grant a request for STA upon a finding that there are extraordinary circumstances requiring operation in the public interest and that delay in the institution of such service would seriously prejudice the public interest.

VXV respectfully submits that grant of this request meets that standard and is in the public interest. Emergency use of the 45 megahertz in the 5850-5895 MHz band will be the best solution for helping to meet the increase in demand for fixed broadband services in counties listed above. First, as noted above, many of VXV's customers have no other alternative to terrestrial broadband services. As COVID-19 has spread, federal and local governments in VXV's markets have taken increasingly stronger steps to encourage social distancing. These actions and warnings have resulted in more and more Americans working and learning from their homes, circumstances that are likely to continue for at least several

months, resulting in a profound shift of broadband use to residences. Second, other unlicensed bands, such as U-NII-1 and U-NII-3, are too congested to meet the existing and expected surge in bandwidth demand, including the needs of first responders. Third, VXV has access to FCC-certified 5 GHz equipment that can be easily and quickly re-tuned via a software update to operate in the 5850- 5895 MHz band. Fourth, this re-tuned equipment will not require installations to customer locations in order for access to be enabled, thereby mitigating the health risks to consumers and installers that would be caused by close human contact in the home.

VXV also respectfully submits that delay in the institution of the operations requested herein would seriously prejudice the public interest. To meet the increase in demand and to ensure that students, consumers, farms and businesses can continue to stay connected with adequate broadband, VXV requires temporary access to this additional spectrum so it can increase throughput to its customers. VXV's proposed operations will not cause interference to other licensed operations.

Consistent with the WISP STA, VXV understands that the following conditions may apply to its STA:

- It understands that operations under this STA are subject to the general conditions of operation set forth in Section 15.5 of the Commission's rules.
- It is responsible for ensuring that it does not cause interference to existing licensees. It must review existing DSRC licenses in this band to determine any nationwide, statewide, or countywide licenses that cover or are adjacent to its service area, as well as any site licenses that are near that service area. It must then contact each of these affected licensees before beginning operation and provide its contact information so that the licensee can inform it of interference issues. It may then begin operation; it need not await a response or approval. If a complaint of interference cannot be timely resolved, operation under this STA must cease. It may not operate within 2 kilometers of any site license, regardless of notification or actual interference.
- It will operate consistent with the power levels in Section 15.407(a)(3) of the Commission's rules.
- It will attenuate emissions at 5895 MHz to a level of -27dBm or less.
- Upon expiration of this STA, it will cease operating in the 5.8 GHz band and retune equipment to operate in compliance with the Commission's equipment certifications; it will confirm with the Bureau within 14 days of expiration that it has successfully retuned all of its devices to be compliant with Commission certifications.
- It understands that operations under this STA shall protect federal radiolocation services operating in the 5.8 GHz band and, to afford such protection, operations under this STA are prohibited within 75 kilometers of designated federal locations and any additional sites specified by the Commission after initial grant.
- It understands that 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.

Should the Commission have any questions or need additional information, please contact our CTO, Logan Freeman, 3515B Longmire Drive #291, College Station, TX 77845, T1: 979-314-3346, T2: 979-255-6780, E: [logan@vxvcommunications.com](mailto:logan@vxvcommunications.com).