

Fact Sheet: Proposed 12 GHz Band NPRM

Chairman Pai has [circulated](#) to his colleagues a draft Notice of Proposed Rulemaking that, if adopted, would seek comment on whether to allow terrestrial flexible use (including mobile services) in the 12.2-12.7 GHz band (the 12 GHz band). The item does not include tentative conclusions but rather would seek input on possible methods for assigning new flexible use rights while protecting incumbent users, and also on whether the costs of accommodating new services in the band would exceed the benefits.

Facts about the proposed NPRM:

- If adopted, the NPRM would seek comment on how to maximize efficient use of the 500 megahertz of mid-band spectrum in the 12 GHz band.
- In the United States, the 12 GHz band is allocated on a primary basis for non-Federal use for Direct Broadcast Satellite (DBS), Fixed Satellite Service (space-to-Earth) limited to non-geostationary orbit systems (NGSO FSS), and Fixed Service (specifically, the Multichannel Video Distribution and Data Service or MVDDS). While these three services are co-primary, NGSO FSS and MVDDS are allocated on a non-interference basis with respect to DBS.
- The NPRM would seek comment on whether and how the FCC might introduce terrestrial, flexible use, including two-way mobile service, into the 12 GHz band given the presence of incumbent uses and allocations.
- Specifically, the NPRM, if adopted, would seek comment on:
 - Whether to add a mobile service allocation throughout the 12 GHz band.
 - Technical parameters that would allow for additional terrestrial shared use of the band without causing harmful interference to incumbent operators.
 - Possible methods for assigning flexible-use rights in the band, including:
 - Modifying the licenses of existing MVDDS licensees to grant them flexible-use rights,
 - Auctioning overlay licenses in the band, or
 - Authorizing underlay use of the band.
 - Potential sharing mechanisms for the band, if coexistence among the co-primary services (i.e., DBS, NGSO FSS, MVDSS incumbents) and proposed flexible-use service is technically feasible.
 - Whether the costs of accommodating new services in the band exceed the benefits and whether the Commission should therefore maintain the status quo for the 12 GHz band.
- The proposal responds to an April 2016 petition for rulemaking from the MVDDS 5G Coalition.