

## Connie Diaz

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**From:** Elizabeth Fishel  
**Sent:** Monday, August 24, 2020 1:34 PM  
**To:** Seth Williams; Dana Shaffer; Blaise Scinto; John Schauble; Nadja SodosWallace; Paul Malmud; Jennifer Tomchin; Peter Daronco; Stephen Buenzow (CTR); Charles Mathias; Susan Mort; Susan Mickley; Sommer Gilbert; Connie Diaz; Cecilia Sulhoff  
**Subject:** FW: STA Application Letter United Wireless 2.5 GHz  
**Attachments:** fl.2020.07.28 United Wireless 2.5 GHz STA Ford County (01446742xB3D1E).pdf; Filing PN Attachment DA 20-463.pdf

Good afternoon,

Shown below is the granted STA for United Wireless Communications Inc.

Please contact me if you have any questions.

Elizabeth (Beth) Fishel

United Wireless Communications Inc.'s request for emergency Special Temporary Authority (STA) to operate on unassigned 2.5 GHz spectrum, formerly Educational Broadband Service spectrum for a period of 60-days is granted via this e-mail. United Wireless Communications, Inc. will be using this spectrum to provide relief during the state of emergency caused by the spread of the coronavirus throughout the United States.

United Wireless Communications Inc. may operate on New Channel 1 (2502-2551.5 MHz), New Channel 2 (2551.5-2602 MHz) and New Channel 3 (2615-2616 MHz and 2673.5-2690 MHz) within Ford County, Kansas. This STA is authorized on a secondary, non-interference basis. Operation under this STA must be consistent with the technical rules applicable to this spectrum. United Wireless Communications Inc. must cease operating at the expiration of this STA. In addition, the United Wireless Communications Inc. must cease operating on these frequencies if such use causes harmful interference to any existing licensees. 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.

United Wireless Communications Inc. must file an STA application for Special Temporary Authorization to continue its operations within 10 days of today's date (August 24, 2020). The STA application must be filed in the Commission's Electronic Comment Filing System (ECFS) as a Non-Docketed Filing in the FCC Inbox for 1.931 Market-based STAs, pursuant to the process described in the attachment to DA 20-463, a copy of which is attached to this email. In addition, a courtesy copy of the STA application should be emailed to the FCC staff members copied on this email. If you have any questions about the filing process, please contact Paul Malmud of the Broadband Division at [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).

In granting this STA, the Wireless Telecommunications Bureau is relying on our understanding that United Wireless Communications, Inc. is ready to begin operations promptly. Grant of this STA does not prejudice or impact the rights of any eligible entity to apply for unassigned EBS spectrum in Ford County, Kansas in the future, nor does it confer any rights to United Wireless Communications, Inc. with regard to such future opportunity.

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**From:** Seth Williams <[williams@fhhlaw.com](mailto:williams@fhhlaw.com)>  
**Sent:** Tuesday, July 28, 2020 3:01 PM  
**To:** Elizabeth Fishel <[Elizabeth.Fishel@fcc.gov](mailto:Elizabeth.Fishel@fcc.gov)>; Charles Mathias <[Charles.Mathias@fcc.gov](mailto:Charles.Mathias@fcc.gov)>; John Schauble <[John.Schauble@fcc.gov](mailto:John.Schauble@fcc.gov)>; Paul Malmud <[Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov)>; Nadja SodosWallace <[Nadja.SodosWallace@fcc.gov](mailto:Nadja.SodosWallace@fcc.gov)>; Susan Mort <[Susan.Mort@fcc.gov](mailto:Susan.Mort@fcc.gov)>; Dana Shaffer <[dana.shaffer@fcc.gov](mailto:dana.shaffer@fcc.gov)>; Blaise Scinto <[Blaise.Scinto@fcc.gov](mailto:Blaise.Scinto@fcc.gov)>; Peter

Daronco <Peter.Daronco@fcc.gov>; Susan Mickley <Susan.Mickley@fcc.gov>; Sommer Gilbert <Sommer.Gilbert@fcc.gov>; Donald Stockdale <Donald.Stockdale@fcc.gov>

**Cc:** Tony Lee <lee@fhhlaw.com>

**Subject:** STA Application Letter United Wireless 2.5 GHz

Please find attached a letter request for an STA permitting United Wireless to operate in the 2.5 GHz band in Ford County, Kansas. If you have any questions or need any additional information, please do not hesitate to contact me.

Best Regards



Seth L. Williams, Esq.

Fletcher, Heald & Hildreth

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Tel: 703.812.0479 | Fax: 703.812.0486

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Licensed to practice law in Indiana, Virginia, and the District of Columbia.



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July 28, 2020

**VIA EMAIL**

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

**Re: United Wireless Communications, Inc.  
Request for Special Temporary Authority**

Dear Mr. Stockdale:

United Wireless Communications, Inc. (“United Wireless”), by its undersigned attorneys, hereby requests Special Temporary Authority (“STA”) to operate on unassigned Educational Broadband Service (EBS) spectrum in Ford County, Kansas for a period of sixty (60) days. The available EBS channels in Ford County are as follows: New Channel 1 (2502.0-2551.5 MHz) and New Channel 2 (2551.5-2602.0). Grant of this request would serve the public interest by helping United Wireless meet the continuing surge in demand for fixed wireless broadband services during the COVID-19 pandemic. Specifically, United Wireless intends to use the spectrum made available under this STA to support the educational needs of the Dodge City Public Schools located in Ford County. As shown in the attached letter from Dodge City Public Schools, the lack of broadband services available for students to engage in distance learning during the COVID-19 emergency is an urgent situation that can only be addressed through the deployment of wireless broadband access devices.<sup>1</sup> United Wireless, therefore, respectfully requests a sixty (60) day STA, or such period as authorized by the FCC, to operate in the 2502.0-2602.0 MHz band in Ford County, Kansas.

Since 1951, United Wireless and its parent company, United Telephone Association, Inc., have proudly provided telephone service to Southwest Kansas. In addition to wireless phone service, United Wireless offers internet access service, which it deploys via fixed wireless broadband networks. The communities United Wireless serves are largely rural—and often underserved. Because of the nature of some of the more distant communities United Wireless serves, many customers depend on its deployment of fixed wireless broadband networks in order to receive any broadband services at all.

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<sup>1</sup> See Attachment 1.

The Commission is well-aware of the vital role internet access plays in Americans' lives, especially in the wake of the COVID-19 pandemic. The beginning of the 2020-2021 academic year is weeks away. On July 22, 2020, the Kansas State Board of Education opted not to push back the start of the school year. Instead, local school districts will develop local reopening plans. Dodge City Public Schools is currently planning some form of distance learning for its students.<sup>2</sup> To accomplish that goal, Dodge City Public Schools' students, faculty, and staff must have access to high-speed internet, a resource that is currently lacking in many areas in rural Kansas, including for many of Dodge City Public Schools' students and teachers.

Grant of this STA will allow United Wireless to improve access to its wireless broadband services throughout Ford County and to work in cooperation with the Dodge City Public Schools to ensure that its students, faculty, and staff have access to the broadband internet connections they need. Recently, the Commission has granted similar STAs.<sup>3</sup> United Wireless seeks an STA on the same terms as those previously granted by the Commission. As long as the STA remains in effect, United Wireless will comply with all service and technical rules associated with 2.5 GHz EBS spectrum, and it understands that its operation pursuant to this STA will be on a secondary, non-interference basis. United Wireless will cease operations upon termination of the STA and understands that grant of this STA does not confer any permanent right to the spectrum that will be made available in the future 2.5 GHz auctions. United Wireless has performed a search for incumbent EBS operations in Ford County via the FCC's ULS system. As shown in the attached map depicting EBS incumbents in the region in and around Ford County, there are no incumbent EBS operators in Ford County. Accordingly, there are no EBS grandfathered licensees that would experience harmful interference from United Wireless's operations pursuant to the requested STA.<sup>4</sup>

In light of the forgoing, United Wireless respectfully requests grant of its STA to allow operations throughout Ford County, Kansas in the 2502.0-2602.0 MHz band for sixty (60) days, or such period as authorized by the FCC. Grant of this request will enable United Wireless to expand its wireless broadband service to better serve the students, faculty, and staff of the Dodge City Public Schools, making it easier for those students to participate in distance learning.

If there are any questions concerning this matter, please do not hesitate to contact the undersigned by phone at (703) 812-0442 or via email at [lee@fhhlaw.com](mailto:lee@fhhlaw.com).

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<sup>2</sup> *Id.* at 1.

<sup>3</sup> See News Release, FCC Grants the Navajo Nation Temporary Spectrum Access to Meet Increased Wireless Broadband Needs During COVID-19 Pandemic (April 17, 2020); see also Harlan 2-Way Inc. EBS STA Request, <https://docs.fcc.gov/public/attachments/DOC-364692A2.pdf> (granted June 2, 2020).

<sup>4</sup> See Attachment 2

Respectfully submitted,

/s/ Tony S. Lee

James U. Troup  
Tony S. Lee  
Seth L. Williams  
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Counsel for United Wireless  
Communications, Inc.

cc: Charles Mathias  
Elizabeth Fishel  
John Schauble  
Paul Malmud  
Nadja SodosWallace  
Susan Mort  
Dana Shaffer  
Blaise Scinto  
Stephen Buenzow  
Peter Daronco  
Susan Mickley  
Sommer Gilbert  
Rick Torstrick

**ATTACHMENT 1**



# Office of the Superintendent

**Dodge City Public Schools** · Unified School District 443 · Dodge City, Kansas  
2112 N 1st Ave / Room 202 · Dodge City, KS 67801  
(620) 371-1070 TELEPHONE / (620) 227-1687 FACSIMILE

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July 24, 2020

John Schauble, Deputy Chief  
Wireless Telecommunications Bureau  
Broadband Division  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Mr. Schauble:

I am writing this letter in support of United Wireless Communications, Inc.'s ("United Wireless") request for an emergency Special Temporary Authority ("STA") to utilize unassigned Educational Broadband Service ("EBS") spectrum. It is my understanding that, by this grant of additional spectrum, United Wireless would be able to further serve school districts within Dodge City, Kansas by providing additional Internet bandwidth to our students, faculty, and staff during this time of ongoing increased need caused by the impact of COVID-19.

Like many states, Kansas received input from parents, educators, students, and other interested stakeholders regarding whether schools should be reopened for the upcoming fall semester. On July 22, 2020, the Kansas State Board of Education chose not to adopt Executive Order 20-58 proposed by Kansas Governor Laura Kelly, which would have postponed the opening of K-12 public and private schools by about a month until September 8, 2020. According to Resolution 2020-1, this delay was to help "provide educators across the state much-needed time to prepare themselves, their classrooms, and their materials in accordance with locally-developed plans to reopen K-12 schools." As a result of the Board's vote, the decision on whether to reopen schools at the beginning of the 2020-2021 school year or to utilize some form of distance learning is now in the hands of the local school districts. Dodge City Public Schools is currently planning for some form distance learning, and is making swift decisions regarding, among other things, the technology needs of our students and teachers.

Although it is up to each district to ensure that its students and faculty have the plans and tools needed to engage in successful distance learning, our efforts will not be met if our educational community does not have access to high-speed Internet. There is currently a critical and immediate need for broadband Internet access in rural Kansas communities. Approximately 173,000 Kansans lack access to wired broadband services at home, and of the 307,000 residents that *do* have access, they do not have a connection capable of at least 25 Mbps or faster. Approximately 3,000 people in Ford County alone, where Dodge City sits, do not have any access to wired Internet, and approximately 6,000 do not have access to 25 Mbps broadband service. While other residents may have broadband Internet services

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**Dr. Fred Dierksen**, Superintendent of Schools · [dierksen.fred@usd443.org](mailto:dierksen.fred@usd443.org)  
Deborah Longton, Secretary to the Superintendent · [longton.deborah@usd443.org](mailto:longton.deborah@usd443.org)

USD 443 does not discriminate on the basis of race, color, national origin, sex, age, religion, military status, primary language, and/or disability. This non-discrimination policy applies to admission, employment, programs, activities, and providing equal access to Boy Scouts and other designated youth groups. A lack of English language skills will not be a barrier to admission and participation in the Career and Technical (vocational) and/or other educational programs of the school.



# Office of the Superintendent

**Dodge City Public Schools** · Unified School District 443 · Dodge City, Kansas  
2112 N 1st Ave / Room 202 · Dodge City, KS 67801  
(620) 371-1070 TELEPHONE / (620) 227-1687 FACSIMILE

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available to them, they may not be able to subscribe to them for financial or other reasons.

Bridging this technology gap is important now more than ever, as distance learning entails the use of email, virtual classroom and video technology, and the use of other Internet-based platforms to help teachers stay engaged with students on a daily basis. United Wireless has been in communication with Dodge City Public Schools about meeting the connectivity needs of our students and teachers as we prepare for these type of challenges. If granted, United Wireless's STA would enable disadvantaged students and other members of the school community that do not have access to high-speed Internet to participate in the school district's distance learning initiative. Not only would enhanced wireless broadband service meet our immediate needs to quickly transition students to virtual classes, but it will help us prepare for any longer-term uncertainties facing our schools considering that there may be potential spikes in COVID-19 cases as we approach the fall and winter months.

Although many local school districts throughout Kansas may differ on their decisions when it comes to reopening schools or offering distance learning, quick and immediate wireless broadband Internet is essential to facilitate distance learning and protect children and the community from the scourge of the pandemic. Because of the prolonged effects of COVID-19, the lack of broadband in rural areas such as Dodge City and its surrounding areas is an urgent situation that can only be addressed through the deployment of wireless broadband access devices. There is simply no other alternative to providing students with the ability to engage in distance learning in light of the short period remaining before schools open in the fall.

Thank you for your consideration in United Wireless's request for additional access to EBS spectrum. For further information, please feel free to contact me at the address included at the top of this letter, or by calling (620) 371-1070.

Sincerely,

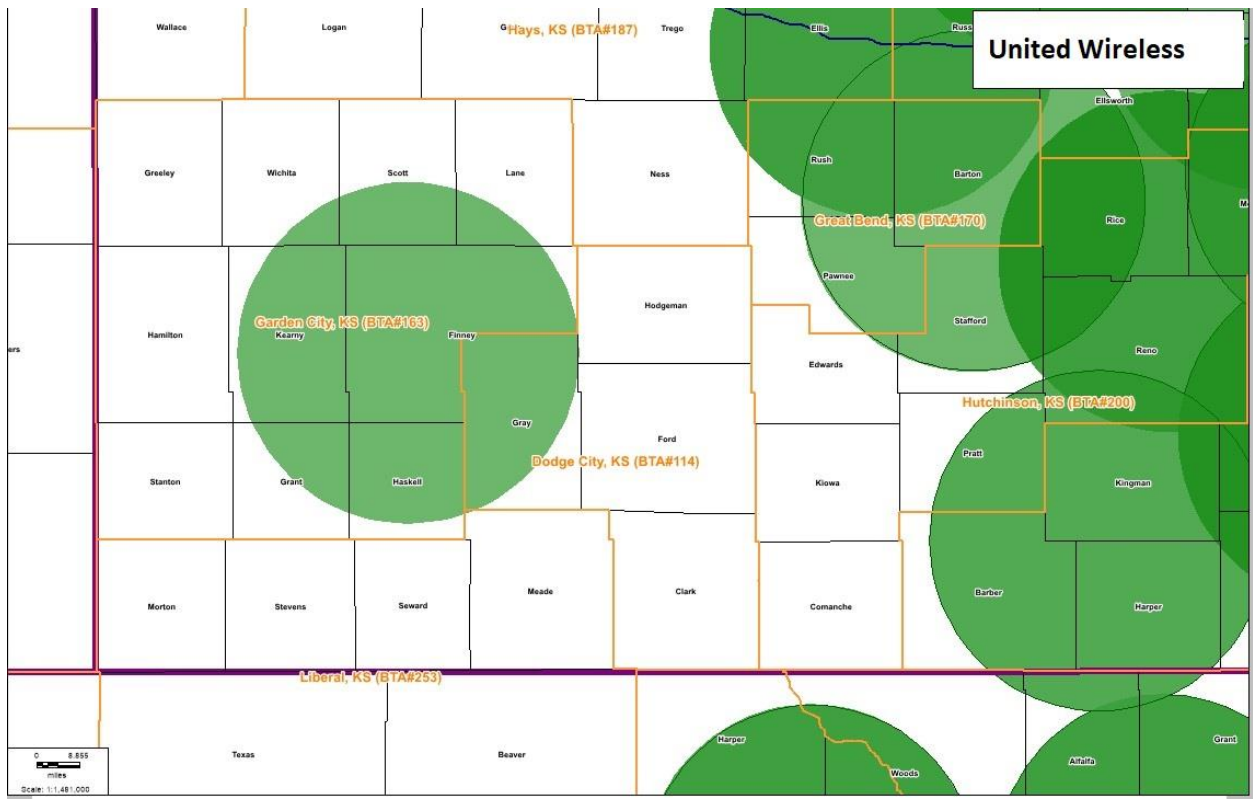
Fred Dierksen, EdD  
Superintendent of Schools

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**Dr. Fred Dierksen**, Superintendent of Schools · [dierksen.fred@usd443.org](mailto:dierksen.fred@usd443.org)  
Deborah Longton, Secretary to the Superintendent · [longton.deborah@usd443.org](mailto:longton.deborah@usd443.org)

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## ATTACHMENT 2



**Attachment**  
**Wireless Telecommunications Bureau ECFS Non-docketed Filing Solution**

- **Do not use the ECFS non-docketed filing portal to submit any applications that can be electronically filed in the Universal Licensing System (ULS) or anything for which another existing electronic-filing system is available.**
- **Filers should use the ECFS non-docketed filing portal for submitting the specific types of documents listed in the following categories of FCC Inboxes:**
  - a. INBOX – 1.913 Universal Licensing System Adjunct
    - i. Sublease applications;
    - ii. Multi-step transactions, such as simultaneous assignment applications or lease back applications where ULS filing cannot be accomplished; or
    - iii. Any other application where electronic filing via ULS is unavailable
  - b. INBOX – 1.931 Market-based STAs
    - i. Requests for Special Temporary Authority (STA) in market-based services, typically awarded by auction.
  - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
    - i. Any requests by non-licensees seeking waivers of rules in the wireless radio services (e.g. equipment certification waivers).
- **Do not use the ECFS non-docketed filing portal to submit any confidential documents, as all documents uploaded via ECFS are available to the public. If an application requires the submission of confidential information, please coordinate with FCC staff to submit the specific confidential components via email.**

**Filing instructions:**

1. Filers should access the ECFS filing portal at <https://www.fcc.gov/ecfs/filings>.
2. Click on the blue header labeled “Non-Docketed Filing.”
3. From the field labeled “FCC Inbox,” use the drop-down menu to select the appropriate inbox for the intended filing. The following three WTB inboxes have been established for applicable filings:
  - a. INBOX – 1.913 Universal Licensing System Adjunct
  - b. INBOX – 1.931 Market-based STAs
  - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
4. Complete the necessary fields regarding filer information
5. In the “Upload Documents” field, click to upload the appropriate document or drag and drop the document in the perforated box.
  - a. Filers must include an electronic copy of their completed application signed pursuant to section 1.52 of the Commission’s rules, as well as any associated attachments.
  - b. Application filings must continue to utilize standard FCC forms for the intended application type, as found on the FCC forms page:  
<https://www.fcc.gov/licensing-databases/forms>.
  - c. The ECFS system permits a maximum of five uploadable files per filing;

- d. Filing types accepted are PDF, text, ppt, pptx, docx, xlsx, doc, xls, rtf, and dwg.
6. Select “continue to review screen” at bottom of screen
  - a. Review summary of information completed for accuracy.
  - b. If any corrections are required, filers can navigate back to the previous screen with the filer information using their browser’s back button.
7. Once filers have confirmed that the information they entered is correct, click the “submit” button on the bottom of the screen.
  - a. Filer will receive a confirmation number upon submission
  - b. Please save the number for tracking purposes.
8. If your application requires a fee, FCC staff will bill filers for the applicable fee once the application has been assigned a file number or otherwise keyed into ULS.
  - a. Filers will receive a letter notifying them of the payment due
    - i. During this temporary mandated telework period due to COVID-19, OMD is temporarily emailing applicants their bill
  - b. All fees must be paid electronically; Filers will utilize the Fee Filer portal to make the associated payment electronically: <https://apps.fcc.gov/FeeFiler/login.cfm>
  - c. Filers will have 30 days to remit payment electronically from the issuance of the notice from FCC staff.
9. Please direct any questions about filed applications to WTB Staff:
  - a. Mobility Division: Keith Harper (202) 418-2759; [Keith.Harper@fcc.gov](mailto:Keith.Harper@fcc.gov)
  - b. Broadband Division: Paul Malmud (202) 418-0006; [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).
10. Technical Assistance:
  - a. For technical assistance with ECFS, please contact the ECFS Help Desk at 202-418-0193 or [ECFSHelp@fcc.gov](mailto:ECFSHelp@fcc.gov).
  - b. For technical assistance with FCC Pay fees, please contact the ULS Help Line: (877)480-3201 and select option 2 (Mon.-Fri. 8 a.m.-6 p.m. ET).