

Congress of the United States
House of Representatives
Washington, DC 20515-3303

September 7, 2022

637

Jessica Rosenworcel
Chair
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Chair Rosenworcel,

I am writing with respect to a proceeding at the Federal Communications Commission (FCC) that presents a risk of eliminating access to broadband for families in the 3rd district of North Carolina and millions of people in the United States. American companies are investing billions of dollars into designing, manufacturing, and launching low Earth orbit (LEO) satellites that offer innovative high-speed internet alternatives for households that have been overlooked by traditional communications providers. These LEO satellite operators use the 12 GHz radiofrequency band to deliver low-latency broadband to their customers, and on a non-interference basis, share the spectrum with companies using it to provide satellite television. While these operators are making fruitful use of the 12 GHz band, the FCC's Notice of Proposed Rulemaking (NPRM) for Docket 20-443 ("Expanding Flexible Use of the 12.2-12.7 GHz Band") considers changing the rules to allow entirely new uses of the spectrum that would degrade these services.

Communities in North Carolina have a high stake in the FCC's decision, as many were early adopters of LEO satellite technologies when the service first became available in the state. For example, a project coordinated between North Carolina Department of Information Technology (NCDIT) and the Friday Institute at NC State University has used SpaceX's Starlink LEO satellite constellation to connect dozens of student families in North Carolina, including those located on Ocracoke Island, where broadband has historically been unavailable.¹ After its initiation, the project expanded to reach students across three counties, and today, several thousand households use Starlink as their primary broadband connection.²

When the FCC opened its proceeding in January 2021, it set a standard for petitioners to show that using the 12 GHz spectrum for mobile operations would not interfere with services

¹ Ford Porter, "New Satellite Internet Pilot Program to Connect Students in Two N.C. Counties," NC Governor Roy Cooper. March 4, 2021. <https://governor.nc.gov/news/press-releases/2021/03/04/new-satellite-internet-pilot-program-connect-students-two-nc-counties>.

² Ford Proter, "Another North Carolina County Joins Satellite Internet Pilot Program to Connect Students," March 17, 2021. <https://governor.nc.gov/news/press-releases/2021/03/17/another-north-carolina-county-joins-satellite-internet-pilot-program-connect-students>.

currently accessed by U.S. households, like those in North Carolina who have benefitted from LEO satellite technologies. With more than 40 corporations, communities, and non-profits opposing rule changes in the spectrum band, and almost 100,000 households dependent on LEO satellite services weighing in as well, the record of comments submitted to the FCC's docket indicates considerable doubt as to whether mobile operators could meet this standard. Further, three independent satellite operators using the 12 GHz band have submitted technical analyses predicting levels of interference from mobile operations that would make their services unusable.^{3, 4, 5} The FCC has a strong set of inputs to bring its proceeding to a close.

As the FCC reaches a decision, I urge it to take no action that would disrupt broadband access for U.S. households. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Gregory J. Humphreys". The signature is written in a cursive, flowing style.

³ SpaceX Analysis of the Effect of Terrestrial Mobile Deployment on NGSO FSS Downlink Operations. Available at https://api.starlink.com/public-files/12GHzInterferenceStudy_062022.pdf

⁴ OneWeb Monte Carlo Analyses of the Potential Impact of an Expanded Terrestrial Service on NGSO FSS Systems in the 12 GHz Band. Available at <https://www.fcc.gov/ecfs/search/search-filings/filing/107112551729250>.

⁵ DirectTV Compatibility Study: 12 GHz Co-Frequency Interference from Terrestrial Mobile into DBS. Available at <https://www.fcc.gov/ecfs/search/search-filings/filing/10718615012674>.