



WASHINGTON, DC

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June 26, 2020

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Partitioning, Disaggregation, and Leasing of Spectrum, WT Docket No.
19-38; Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

On June 24, 2020, representatives of the Industrial Internet of Things (“IIoT”) Coalition met by telephone with the Wireless Telecommunications Bureau staff listed below to discuss the attached IIoT proposal to incentivize voluntary secondary spectrum market transactions between licensees and non-government, industrial entities that have been identified in Presidential Policy Directive 21 (PPD-21) as providing critical services to the nation. The following IIoT Coalition representatives participated in the call:

Kasey Chow – Southern Communications Services, Inc. d/b/a Southern Linc
Kyle Entz – Enterprise Wireless Alliance
Aryeh Fishman – Edison Electric Institute
Lance Johnson – Anterix, Inc.
Brett Kilbourne – Utilities Technology Council
Frank Korinek – Motorola Solutions, Inc.
Brian O’Hara – National Rural Electric Cooperative Association
Matt Pekarske – GE Healthcare
David Rines – counsel to Southern Communications Services, Inc. d/b/a Southern Linc
Elizabeth Sachs – counsel to Anterix, Inc. and Enterprise Wireless Alliance

The IIoT Coalition is a group of industrial entities that rely on wireless communications to conduct their operations efficiently and safely, and also includes manufacturers and organizations that represent such entities. Additional members include the American Petroleum Institute, FedEx Corp and Union Pacific Railroad Co. Collectively, these parties are the heart of the American economy with an increasing reliance on digital operations and IIoT applications.



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During the call, the IIoT representatives described the difficulties critical industries experience in acquiring much-needed spectrum, in particular broadband spectrum, both in the auction process and in the aftermarket. Their spectrum needs are defined by industrial operational requirements that do not necessarily conform to FCC population or geographic criteria designed to ensure optimal wireless coverage for consumer use. The proposal would create a critical industrial “safe harbor” for satisfying FCC geographic license build-out requirements for entities in defined categories that are deploying spectrum for private, internal communications purposes.

Pursuant to Section 1.1206 of the Commission’s Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-referenced proceedings.

Respectfully submitted,

/s/ David D. Rines

David D. Rines

Counsel to Southern Linc

Encl.

cc: Roger Noel
Lloyd Coward
Kathy Harris
Melissa Conway
Nellie Foosaner
Jaclyn Rosen
Jonathan Markman
Katherine Nevitt

ENCOURAGING SECONDARY MARKET TRANSACTION FOR PRIVATE WIRELESS NETWORK DEPLOYMENTS

Provide predictability and expedited approval for spectrum leases for use in private wireless network deployments by critical infrastructure and industrial companies.

Solution Components	Description and Highlights
Type of Spectrum	Licensed spectrum with 3GPP band designations: Standardized 3GPP technology simplifies coordination on RF planning and interference management with licensee’s network.
Types of Leases	De facto short-term and long-term
Qualifications of Licensee	Ownership of the licensed spectrum with expectation of renewal.
Lessee Eligibility	<p>Non-government, industrial entities based on Presidential Policy Directive 21 (PPD-21) - Critical Infrastructure Security and Resilience advances a national policy to strengthen and maintain secure, functioning, and resilient critical infrastructure. Sectors of entities that qualify as lessees include:</p> <ul style="list-style-type: none"> ○ Chemical ○ Telecommunications ○ Dams ○ Ambulance Services ○ Hospitals ○ Transportation Systems (people and freight) ○ Critical Manufacturing (primary metals, machinery, electrical equipment, transportation equipment) ○ Power Generation ○ Power Distribution ○ Petrochemical discovery, production, and refining operations ○ Food and Agriculture ○ Home Healthcare Providers ○ Nuclear Reactors and Operations ○ Water Treatment and Wastewater Facilities ○ Natural Gas Facilities
Applicable Spectrum Use	Lessee is deploying single or multi-site (geographically dispersed sites) private wireless network for internal operations such as, but not limited to, safety, improved productivity, or customer services.
Service Area Definition and	<ul style="list-style-type: none"> ● County-wide substantial service shall be credited for any

Implications for Licensee	<p>county in which the lessee’s private wireless network deployment involves any “undefined area(s)”.</p> <ul style="list-style-type: none"> • Allows the licensee to attribute to itself the build-out performance activities of the spectrum lessee for purposes of complying with licensee’s build-out or performance obligations.
Implementation Via SAS or Comparable Spectrum Administrator	<ul style="list-style-type: none"> • Licensees can submit available license areas (via map files and required information) to SAS or comparable spectrum administrator for spectrum partitioning, disaggregation or leasing. • Lessees requiring de facto control spectrum leasing can access the administrator for availability of spectrum in their areas of interest. • Lessee submits non-lease-specific certification to FCC confirming that it meets basic licensee qualifications. • Licensee and FCC-approved lessee submit application to a certified administrator. • Application submitted to administrator shall include: <ul style="list-style-type: none"> ○ Certification from lessee that spectrum will be used for private wireless network. ○ Specific locations (map files or addresses) where leased spectrum will be used or planned to be used within 12 months. ○ Lessee and licensee jointly attest that Spectrum Lease does not raise concerns related foreign ownership, designated entity status, or general qualification issues. ○ Term of lease and confirmation that lease term will not exceed license term or, that lease term will only extend beyond license term if licensee is granted renewal. ○ No assignment or transfer of the license to another entity (e.g., acquisition) or affiliate without filing for approval under standard FCC approval process. • Spectrum administrator confirms: <ul style="list-style-type: none"> ○ Availability of the license area for leasing. ○ Lessee has received FCC approval ○ Approval to licensee and lessee and sends notification to FCC.
Implementation Without Spectrum Administrator	<ul style="list-style-type: none"> • Lessees requiring spectrum leasing can access the ULS or other private sources to identify potential availability of spectrum and contact the licensee directly. • Licensee and lessee submit application to FCC using an accelerated application form (modified Form 608). • Modified Form 608 Application submitted to FCC shall

	<p>include:</p> <ul style="list-style-type: none">○ Certification from lessee that spectrum lease will be used for private wireless network.○ Specific locations (map files or addresses) where leased spectrum will be used or planned to be used within 12 months.○ Confirmation that Spectrum Lease does not raise concerns related to foreign ownership, designated entity status, or general qualification issues.○ Term of lease and confirmation that lease term won't exceed license term or, that lease term will only extend beyond license term if licensee is granted renewal.○ No assignment or transfer of the license to another entity (e.g., acquisition) or affiliate without filing for approval under standard FCC approval process.
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