

December 27, 2021

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: Notice of Written ExParte, Notice of Proposed Rulemaking, Assessment and Collection of Regulatory Fees for Fiscal Year 2021, MD Docket 21-190

Dear Ms. Dortch:

The National Rural Electric Cooperative Association (NRECA) submits this written ex parte to the Federal Communications Commission (FCC or Commission) in response to its Notice of Proposed Rulemaking on Assessment and Collection of Regulatory Fees for Fiscal Year 2021. NRECA requests that the Commission refrain from imposing regulatory fees on users of unlicensed spectrum and/or manufacturers of devices that use unlicensed spectrum.

NRECA is the national service organization for more than 900 not-for-profit rural electric cooperatives that provide electric energy to approximately 42 million people in 48 states, or approximately 12 percent of electric customers. Rural electric cooperatives serve 88% of the counties of the United States, including 327 of the nation's 353 "persistent poverty counties," which is 93% of these persistent poverty counties. NRECA and its members are deeply committed to promoting the deployment of advanced telecommunications capabilities within the rural communities and areas in which electric cooperatives provide electric service. About 200 NRECA members provide fixed broadband service today, deploying fiber-based, fixed wireless or combined fiber and fixed wireless technologies. NRECA estimates that another 100 or so are currently exploring the feasibility of providing broadband, either on their own or through partnerships.

Many NRECA member cooperatives, and other utilities, use unlicensed spectrum for a broad range of applications, including advanced metering infrastructure (AMI), redundant electric grid monitoring, communicating with staff working out in the field, and even for last mile broadband connections. In some cases, an electric cooperative relies on a vendor or equipment manufacturer for smart meters on homes or other equipment utilizing unlicensed wireless. In each of these cases, NRECA is concerned that a potential regulatory fee assessed on electric utilities and/or our equipment manufacturer partners would increase costs and have a negative impact on deployment of smart grid technologies and/or broadband deployment. Such regulatory fees would pose unnecessary and significant potential barriers on unlicensed operations and create administrative burdens on the Commission.

NRECA opposes the imposition of the proposed fee on users of unlicensed spectrum and/or manufacturers of devices that use unlicensed spectrum. Should the Commission decide to adopt regulatory fees for unlicensed operations, NRECA respectfully requests that the Commission exclude electric utilities and the equipment manufacturers that provide equipment to utilities for unlicensed operations.

Thank you for your attention to this correspondence. Please contact the undersigned if you have any questions about this submission. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,

/s/ Brian M. O'Hara
Senior Director Regulatory Issues –
Telecom and Broadband
NRECA