



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PETITION FOR RULEMAKING TO EXPAND WIRELESS BROADBAND IN 900 MHZ BAND

WT Docket No. 24-99
RM-11977

Comments Due: May 2, 2024
Reply Comments: May 18, 2024

On February 28, 2024, ten entities filed a petition for rulemaking asking the Commission to provide an option for 5/5 megahertz broadband networks in paired 896-901 MHz and 935-940 MHz spectrum (900 MHz band).¹ In this *Public Notice*, the Wireless Telecommunications Bureau seeks comment on the Petition.

Background. On May 14, 2020, the Commission realigned the 900 MHz band to make available six megahertz of low-band spectrum for the development of critical wireless broadband technologies and services, while reserving the remaining four megahertz of spectrum for continued narrowband operations.² The *900 MHz R&O* created a 3/3 megahertz broadband segment and adopted a transition mechanism based primarily on negotiations between prospective broadband licensees and existing narrowband incumbent licensees. The Commission considered a 5/5 megahertz broadband segment, but did not adopt it at that time, recognizing the need for continued narrowband operations and to observe the interference environment in adjacent bands after broadband deployment.³

Petition for Rulemaking. Petitioners ask that the Commission now allow the option of expanded 5/5 megahertz broadband networks in the 900 MHz band. They state expanded 5/5 megahertz broadband will support growing demand for wide-area, private, and secure wireless broadband networks for utilities, critical infrastructure, and business enterprise entities, among other benefits.⁴ They suggest that the Commission adopt a framework to authorize these networks by an initial application for a 5/5 megahertz license or by expanding an existing 3/3 megahertz license in the 900 MHz broadband segment upon a showing that all covered incumbents are cleared from the band.⁵ Under Petitioner's proposed plan,

¹ Petition of Ameren Services Company, et al. for Rulemaking, INBOX-1.401 (filed Feb. 28, 2024), <https://www.fcc.gov/ecfs/search/search-filings/filing/10229148220602> (Petition). The petitioners are Ameren Services Company; Anterix, Inc.; Enterprise Wireless Alliance; Evergy, Inc.; Lower Colorado River Authority; Portland General Electric; San Diego Gas & Electric; Southern Communications Services, Inc.; Utility Broadband Alliance; and Xcel Energy Services, Inc. (Petitioners).

² See *Review of the Commission's Rules Governing the 896-901/935-940 MHz Band*, WT Docket No. 17-200, Report and Order, Order of Proposed Modification, and Orders, 35 FCC Rcd 5183 (2020) (*900 MHz R&O*).

³ *Id.* at 5198, para. 33.

⁴ Petition at 1.

⁵ *Id.* at 11.

Petitioners assert narrowband incumbents would remain protected under the existing framework in the rules and would only vacate an existing narrowband segment to allow 5/5 megahertz broadband operations if the relevant parties made a private agreement to do so. Petitioners suggest that no changes are necessary to the incumbent interference, technical, or performance requirement rules to implement 5/5 megahertz broadband operations.⁶

We seek comment generally on the Petition and its request that the Commission provide an option for 5/5 megahertz broadband networks in the 900 MHz band through a voluntary transition process. In particular, we seek comment on whether existing rules would be sufficient to protect incumbent narrowband operations from interference, as well as whether those rules would be sufficient to protect operations in adjacent spectrum bands.

For this proceeding, we herein open a docket and assign a rulemaking number, as is typically assigned to petitions for rulemaking.

Filing Requirements. Pursuant to sections 1.403 and 1.405 of the Commission's rules,⁷ interested parties may file comments and reply comments on or before the dates indicated above and must reference **WT Docket No. 24-99**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁸

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE Washington, D.C. 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁹

People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Ex Parte Rules. This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁰ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two

⁶ *Id.*

⁷ 47 CFR §§ 1.403, 1.405.

⁸ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (1998); 63 FR 24121 (1998).

⁹ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Red 2788 (OMD 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

¹⁰ See 47 CFR § 1.1200 *et seq.*

business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission's rules. In proceedings governed by section 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Availability of Documents. Comments, reply comments, and *ex parte* submissions will be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

Additional Information. For further information regarding this Public Notice, please contact Jason Koslofsky, Attorney Advisor, Mobility Division, Wireless Telecommunications Bureau, at Jason.Koslofsky@fcc.gov.

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