



Utilities  
Technology  
Council™

# 4.9 GHz Issue Brief

OCTOBER 2016

## SUMMARY

The Federal Communications Commission (FCC or Commission) has proposed expanding eligibility to include utilities and other critical infrastructure as one way to encourage more effective use of the 4.9 GHz band (4940-4990 MHz) of the radio portion of the electromagnetic spectrum, which is currently allocated to public safety exclusively, but is only lightly used by public safety entities. The radio portion of the electromagnetic spectrum is needed to enable wireless applications for utilities, public safety, and telecommunications providers, among others. This radio spectrum is subdivided into various “bands” (measured by “hertz”) that have different properties.

The Utilities Technology Council (UTC) supports the FCC's proposal in this band, and has worked with the National Public Safety Telecommunications Council (NPSTC) to develop a proposed 4.9 GHz band plan, which also supports including utilities as eligible entities to hold licenses. UTC believes that expanding eligibility to include utilities and other critical infrastructure entities will promote emergency response and partnerships between utilities and public safety.

In October 2013, the FCC released a [Public Notice](#) seeking comment on the National Public Safety Telecommunications Council's (NPSTC) 4.9 GHz National Plan Recommendations Final Report (the band plan). In the report, NPSTC recommended the allowance of direct licensing by the critical infrastructure industry (CII). UTC supported the band plan and echoed NPSTC's support for expanded eligibility to include utilities and other CII.

## BACKGROUND

In 2002, the 4.9 GHz band was allocated by the FCC for exclusive use by public safety, and at the time it was anticipated that the band would be used for “hot-spot” communications on a temporary basis during emergencies. The Commission noted that the band's proximity to some of the unlicensed bands would allow public safety to leverage the equipment in those bands for use in the 4.9 GHz band. The Commission adopted service rules for the band permitting it to be lightly licensed and coordinated by regional planning committees (RPCs). Because the band is very lightly used and disorganized, the Commission initiated a rule-making proceeding in 2007 to consider ways to make more effective use of it. While the FCC proposed several ways of improving the use of the band, one of the best ideas gives utilities and other CII eligibility to hold licenses. UTC, along with many utilities, filed comments in support of that proposal.

In the years since the FCC's initial proposal, UTC has worked with NPSTC and other public safety organizations to gather support for the inclusion of utilities and CII as eligible entities to use the 4.9 GHz band. A band plan was developed and submitted to the FCC. The FCC invited comment on the band plan, and UTC supported the recommendations by NPSTC in the 4.9 GHz National Plan to expand eligibility for CII on a primary basis.

The NPSTC band plan report advocated for the ability of utilities to apply for 10 MHz (5x5 MHz) of spectrum (channels 6 and 7) as soon as the FCC

adopts rules for the band, and that utilities should also be able to apply for licenses in the remainder of the band, subject to a 30-day notice period. UTC commented that this process, which would sunset after three years, would reasonably balance the need for utilities to access the band while accommodating the concerns of public safety surrounding access to the band for near-term projects. UTC also supports provisions within the band plan that promote the use of the band for fixed applications, particularly wider channels and higher power for point-to-point links in rural areas. UTC also supports the part of the band plan which provides for point-to-point operations on a primary basis on channels 14-18 in the spectrum band.

#### **UTC POSITION**

UTC believes that sharing the 4.9 GHz spectrum is a good opportunity for utilities to deploy fixed point-to-point connectivity in a band that is lightly used in order to support their private utility networks that enhance operational efficiency, safety and reliability. The process of sharing the band with public safety and the potential for using up to 50 MHz of licensed spectrum will promote partnerships between utilities and public safety that will create synergies as well as more effective use of the band. Currently, the FCC is reportedly developing a further rulemaking that UTC expects will be issued by the end of 2016. UTC urges the Commission to issue the further rulemaking and to keep the proposals in it simple in order to make spectrum availability for utilities in the band more effective.

#### **ABOUT UTC**

The Utilities Technology Council (UTC) is a global trade association dedicated to serving critical infrastructure providers. Through advocacy, education and collaboration, UTC creates a favorable business, regulatory and technological environment for companies that own, manage or provide critical telecommunications systems in support of their core business.

History: UTC was founded in 1948, to advocate for the allocation of additional radio spectrum for power utilities. Over the last 68 years, UTC has evolved into a dynamic organization that represents electric, gas and water utilities, as well as natural gas pipelines, critical infrastructure companies and other industry stakeholders.

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