



## 4.9 GHz Issue Brief

JANUARY 2018

### SUMMARY

The Federal Communications Commission (FCC or Commission) has proposed expanding eligibility to utilities and other critical infrastructure industries 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. This band is currently allocated to public safety exclusively, but is only lightly used by those 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.

### UTC POSITION

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 would include 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.

This proceeding dates back to October 2013, when the released a Public Notice seeking comment on the NPSTC's 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. The proceeding is still pending before the FCC, with action expected in calendar year 2018.

### BACKGROUND

The FCC first allocated the 4.9 GHz band for exclusive use by public safety in 2002, 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 lightly used and disorganized, the Commission launched a proceeding in 2007 to make more effective use of it. UTC and many utilities support the idea of giving utilities and other CII eligibility to hold licenses in the band. Throughout the last several years, 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. Along with UTC, these organizations developed and submitted a band plan to the FCC. The FCC invited comment on the 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 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 that promote the use of the band for fixed applications, particularly wider channels and higher power for point-to-point links in rural areas. Additionally, UTC providing point-to-point operations on a primary basis on channels 14-18 in the spectrum band.

#### **SITUATIONAL AWARENESS**

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 in 2018. UTC urges the Commission to issue the further rulemaking and keep the proposals simple 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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