

UTC 2018 Resolution: Encouraging the Federal Communications Commission to Recognize the Criticality of Energy and Water Utilities in Spectrum Policies

WHEREAS, energy and water utilities provide the world with essential, life-saving services that power the global economy and our lives in general; and,

WHEREAS, the Department of Homeland Security lists energy, water, and nuclear power utilities as among the most critical of all industries (<https://www.dhs.gov/critical-infrastructure-sectors>) and nearly every level of government—federal, state, local—considers electricity and water as the “most critical” of these infrastructure industries. This acknowledgement is further acknowledged by the “regulatory compact,” which requires these entities to exceed stringent regulations and rates to remain operational; and,

WHEREAS, energy and water utilities own and operate infrastructure—power lines, power plants, and pipelines—which deliver these services throughout the world; and,

WHEREAS, overlaying this infrastructure is a system of telecommunication Information and Communications Technology (ICT) networks. These networks consist of wireless and wireline technologies which allow utility workers and industrial control systems to communicate, providing day-to-day reliability of our nation’s energy and water infrastructure; and,

WHEREAS, energy and water providers use these networks to: restore service after storms, add digital and “smart” technology services for their customers, modernize their infrastructure, allow for intermittent generation resources to be added to the grid, and much more; and,

WHEREAS, the wireless components of these ICT networks rely on radio spectrum to communicate; and,

WHEREAS, radio spectrum is a limited resource allocated by the Federal Communications Commission (FCC) and the National Telecommunications and Information Administration (NTIA); and,

WHEREAS, the already strong demand for radio spectrum is getting stronger due to the tremendous growth of smart phones and other wireless devices, including tablets, laptops, unmanned aerial vehicles (drones), autonomous cars, and much more; and,

WHEREAS, historically, the FCC has not recognized the criticality of utility ICT networks in the agency’s spectrum policies, forcing rate-regulated energy and water providers to compete against all commercial entities in spectrum auctions; and,

WHEREAS, because energy and water providers’ own costs are tightly regulated by state and/or multiple government agencies, they are often not able to compete against well-funded private firms, startups, and other commercial enterprises for spectrum; and,

WHEREAS, energy and water providers have nonetheless fought to purchase licensed spectrum in various bands to operate their mission-critical ICT networks. Licenses are aimed at protecting these

networks from interference from other users in the same bands; and,

WHEREAS, the FCC has expanded access to non-critical infrastructure industries in many of these bands where utilities hold licenses, forcing many energy and water providers to move to other bands or compete against well-financed commercial entities for additional spectrum; and,

WHEREAS, as more users enter into spectrum bands, the threat of interference to mission-critical utility systems increases. Interference to these mission-critical systems could impact the safe, secure, and reliable delivery of energy and water services, as well as inhibit the development of ongoing grid modernization; and,

WHEREAS, energy and water providers' needs for spectrum will only increase as these entities modernize their infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Utilities Technology Council (UTC), gathered at its Annual Telecom & Technology Meeting in Palm Springs, California, urges the Federal Communications Commission to recognize and acknowledge the essential services provided by energy and water providers in its spectrum policies; and,

BE IT FURTHER RESOLVED, that UTC urges the Federal Communications Commission to ensure its spectrum policies protect incumbent critical infrastructure providers, such as energy and water utilities, from interference to their wireless communications systems that threatens the reliable delivery of the essential services these entities provide.

Adopted by the UTC Membership, May 10, 2018