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March 8, 2019

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation, WT Docket No. 17-200

Dear Ms. Dortch:

The Utilities Technology Council (“UTC”) is providing the following ex parte notification in the above-referenced proceeding in accordance with Section 1.1206 of the Commission’s Rules. On March 6, 2019, Robert Thormeyer and the undersigned on behalf of UTC met with Rachael Bender, Wireless and International Advisor for Chairman Pai to discuss matters related to the above-referenced proceedings.

During the meeting, UTC identified the following items with the draft Notice of Proposed Rulemaking.¹ Specifically, the 900 MHz Draft NPRM proposes to “limit basic eligibility for broadband licenses to those incumbents that hold 20 geographically licensed blocks of 900 MHz SMR spectrum while site-based licensees would not be eligible.”² In addition, the 900 MHz Draft NPRM proposes to provide a “.5/1.5 megahertz segment (896-897.5/935-936.5 MHz) below the broadband segment and a .5/.5 megahertz segment (900.5-901/939.5-940 MHz) above the broadband segment.”³ Third, the 900 MHz Draft NPRM proposes to require realignment of the 900 MHz band without flexibility in certain geographic areas. Fourth, the 900 MHz Draft NPRM proposes to establish metrics for performance requirements based upon population coverage exclusively. Fifth, the 900 MHz Draft NPRM does not include any provision for priority access to broadband networks during emergencies by utilities and other critical infrastructure industries (CII).

UTC urged the Commission to consider allowing site-based Business and Industrial/Land Transportation (B/ILT) licensees to be eligible to apply for a broadband license. UTC also requested that the Commission consider alternatives to the proposed realignment that might better protect against interference between and among narrowband and broadband operations. UTC requested that the Commission consider providing flexibility to allow certain geographic areas to remain narrowband, including areas where there is insufficient interest from applicants for broadband licenses. UTC also requested that the Commission consider metrics for performance requirements that would require broadband licensees to meet geographic coverage benchmarks, not just population coverage benchmarks. Finally, UTC requested that the Commission consider revising the 900 MHz NPRM to condition broadband licenses to provide priority access to these networks during emergencies by utilities and other CII.

¹ Review of the Commission’s Rules Governing the 896-901/935-940 MHz Band; WT Docket No. 17-200; Draft Notice of Proposed Rulemaking, FCC-CIRC1903-O2 (rel. Feb. 22, 2019) (“900 MHz Draft NPRM”).

² *Id.* at ¶28.

³ *Id.* at ¶15.

Thank you for your help in this matter. If there are any questions concerning this matter, please let me know.

Respectfully,

A handwritten signature in cursive script that reads "Brett Kilbourne".

Brett Kilbourne

Cc: FCC Participants