



ENSURING US LEADERSHIP IN 5G

July 1, 2022

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Starlink Unauthorized Mobile Operations, SES-LIC-20210803-01361, Call Sign E210310; SES-LIC-20210803-01360, E210309; 0190-EX-CN-2022, WM2XNK; Expanding Flexible Use of the 12.2-12.7 GHz Band, WT Docket No. 20-443; GN Docket No. 17-183

Dear Ms. Dortch:

On June 29, 2022 representatives of the 5G for 12 GHz Coalition (“Coalition”)¹ and the undersigned counsel of INCOMPAS met by phone with Ethan Lucarelli, Legal Advisor, Wireless and Public Safety for Chairwoman Jessica Rosenworcel to discuss several NGSO FSS providers’ request to use portions of the 12 GHz band to facilitate the use of earth stations in motion (“ESIMs”) as well as the pending *Notice of Proposed Rulemaking* (“12 GHz NPRM”) in the above-referenced proceeding.

The Coalition expressed its concern about the attempt to seek authorization for ESIM operations in the 12 GHz band consistent with the Coalition member’s previous filings in this proceeding.² The Coalition expressed concern that this would lead to the very unacceptably

¹ The 35 members of the Coalition are: INCOMPAS, Public Knowledge, DISH, Computer & Communications Industry Association, RS Access, Benton Institute for Broadband & Society, Open Technology Institute at New America, Federated Wireless, Airspan, AltioStar, A-Side Technology, AtLink, Cambridge Broadband Network Groups, Center for Educational Innovation, Center for Rural Strategies, Dell Technologies, Etheric Networks, GeoLinks, Globtel Holding, GoLong Wireless, Granite Telecommunications, Mavenir, mmWave Tech, MVD Number 53 Partners, NextLink, Resound Networks, Rise Broadband, Rural Wireless Association, TelNet Worldwide, Tilson, VMWare, WeLink, White Cloud, Xiber and X-Lab.

² See, e.g., Petition to Deny Waiver Request of DISH Network Corp., Application of SpaceX Services, Inc. for Blanket Licensed High Performance Earth Stations in Motion, File No. SES-LIC-20210803-01361 (Jan. 21, 2022); Petition to Deny or Defer in Part of RS Access, LLC, Application for Starlink’s Second-Generation Blanket-Licensed Earth Stations in Motion, File No. SES-LIC-20210803-01360 (Feb. 25, 2022); Petition to Deny in Part of DISH Network Corp., Application of Kepler Communications Inc. for Blanket Licensing Authorizing the Operation of Earth Stations on Vessels, File No. SES-LIC-20210809-01568 (Jan. 3, 2022); Petition to Deny or Defer in Part of RS Access, LLC, File No. SES-LIC-20210809-01568 (Jan. 3, 2022); Petition to Deny of DISH Network Corp., Application of Anuvu Licensing Holdings

complex interference environment that the Commission sought to avoid, an environment that would hamper terrestrial use of the band for 5G. It would also impermissibly prejudge the outcome of the Commission's *12 GHz NPRM*.³ Consequently, the Coalition urged the Commission to reject these requests.

If you have any questions about this filing, please feel free to contact me.

Respectfully submitted,

/s/ Christopher L. Shipley
Attorney & Policy Advisor
INCOMPAS
(202) 872-5746

LLC for Special Temporary Authority to use the 12.2-12.7 GHz Band for Earth Stations Aboard Aircraft, File No. SES-STA-20211130-01850 (Dec. 28, 2021); Ex Parte Presentation of Public Knowledge, WT Docket No. 20-443; GN Docket No. 17-183, (filed June 28, 2022); Ex Parte Presentation of the Open Technology Institute at New America, WT Docket No. 20-443; GN Docket No. 17-183, (filed June 27, 2022).

³ *Expanding Flexible Use of the 12.2-12.7 GHz Band*, WT Docket No. 20-443, Notice of Proposed Rulemaking, FCC 21-13 (Jan. 15, 2021).