

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Options for 470-512 (T-Band)
Spectrum

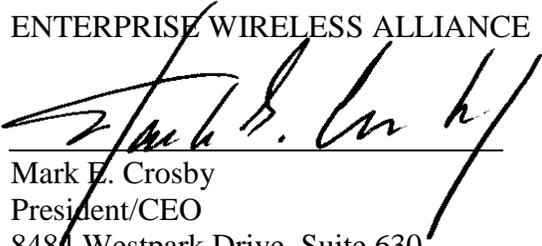
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PS Docket No. 13-42

**COMMENTS
OF THE
ENTERPRISE WIRELESS ALLIANCE**

ENTERPRISE WIRELESS ALLIANCE

By: _____


Mark E. Crosby
President/CEO

8484 Westpark Drive, Suite 630

McLean, Virginia 22102

(703) 528-5115

Counsel:

Elizabeth R. Sachs
Lukas, Nace, Gutierrez & Sachs, LLP
8300 Greensboro Drive, Suite 1200
McLean, Virginia 22102
(703) 584-8678

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SUMMARY

EWA urges the FCC not to implement any initiatives that exceed the mandates of the Middle Class Tax Relief and Job Creation Act of 2012. The Commission should abandon any effort to relocate Industrial/Business licensees from their long-standing, operationally critical T-Band spectrum and limit its activities to implementing the statutory directive to auction public safety frequencies in the band (unless all Congressional mandates regarding T-Band spectrum are reversed as they should be). This spectrum plays a vital role in meeting non-public safety communications requirements and there is no available, comparable spectrum to which these licensees could be relocated. If the FCC determines that the relocation of Industrial/Business licensees is essential to implement the Act and conduct an auction, then these systems should be moved to a contiguous portion of T-Band spectrum with all costs paid by the auction winner(s).

EWA also urges the Commission to lift the T-Band freeze immediately and not to re-impose it until the last reasonable time before the spectrum landscape must be stabilized prior to auction. Freezing the band years before an auction may be held improperly attaches a higher public interest to the economic interests of unknown, future auction participants than to the ongoing communications requirements of Part 90 licensees of T-Band spectrum. If the FCC insists on maintaining its T-Band freeze, then it should be modified to mirror the more limited restrictions that have been imposed on 900 MHz licensees operating pursuant to Part 90.

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The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its comments in response to the Public Notice¹ issued jointly by the Wireless Telecommunications Bureau (“WTB”) and the Public Safety and Homeland Security Bureau (“PSHSB”) (WTB and PSHSB, collectively, “Bureaus”) requesting recommendations regarding the FCC’s implementation of Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012.² As explained in the Public Notice, the Act requires that the Commission shall, within nine years after the date of its enactment: (1) “reallocate the spectrum in the 470-512 MHz band...currently used by public safety eligibles,” and (2) “begin a system of competitive bidding under Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant new initial licenses for use of the spectrum.”³ Further, the Act states that public safety entities must be relocated from the T-Band not later than two years after the auction has been completed and that

¹ Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Seek Comment on Options for 470-512 MHz (T-Band) Spectrum, *Public Notice*, PS Docket No. 13-42, 28 FCC Rcd 1130 (rel. Feb. 11, 2013) (“Public Notice”).

² Pub. L. No. 112-96, 126 Stat. 156 (2012) (“Act”).

³ Act § 6103(a)

auction proceeds may be distributed by the Commerce Department through grants to cover the costs of relocating public safety systems from T-Band spectrum.⁴

The Public Notice requests recommendations about how these provisions of the Act should be implemented and asks that proposals address the “technical, financial, administrative, legal, and policy implications of each option.”⁵ It seeks comments on specific issues related to the implications of the Act for both public safety and non-public safety T-Band licensees. Further, it asks for input on interim actions the FCC should take, including actions related to the freeze imposed on T-Band activity in 2012.⁶

The Bureaus already are aware of EWA’s position regarding the legislation and its impact on utilization of T-Band spectrum. The Alliance has emphasized that the Act does not mandate any action whatsoever with regard to non-public safety T-Band licensees. It does not mention those users or their utilization of T-Band spectrum. EWA also is on record as opposing both the scope and timing of the freeze imposed on this spectrum by the Commission. It appreciates the opportunity to provide further support for its positions, but also offers a recommended approach in the event the FCC determines that even Industrial/Business (“I/B”) licensees, including those authorized to provide commercial service, must be displaced to satisfy the Act’s directive.

⁴ *Id.* § 6103(b), (c).

⁵ Public Notice at 2.

⁶ See “Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend the Acceptance and Processing of Certain Part 22 and 90 Applications for 470-512 MHz (T-Band) Spectrum,” *Public Notice*, 27 FCC Rcd 4218 (WTB/PSHSB 2012) (“Freeze PN”); see also “Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Clarify Suspension of the Acceptance and Processing of Certain Part 22 and 90 Applications for 470-512 MHz (T-Band) Spectrum,” *Public Notice*, 27 FCC Rcd 6087 (WTB/PSHSB 2012) (collectively “T-Band Freeze”).

I. INTRODUCTION

EWA is a national trade association representing business enterprises, wireless sales and service providers, hardware and software system vendors, and technology manufacturers. Members of the Alliance hold FCC authorizations in numerous spectrum bands and in various radio services. The T-Band is a key component of the very limited spectrum inventory available for EWA members. It has been intensively used by them for decades and its loss would be devastating for their communications capabilities. Thus, the Commission's decisions in this proceeding will have a profound impact on many of EWA's members, on their customers, and, therefore, on the Alliance.

II. BACKGROUND

In 1971, the Commission reallocated certain television channels in eleven major markets in the country to address a growing need for private land mobile radio ("PLMR") spectrum in highly congested areas: Boston, Chicago, Dallas/Fort Worth, Houston, Los Angeles, Miami, New York/Northeastern NJ, Philadelphia, Pittsburgh, San Francisco/Oakland, and Washington DC/MD/VA.⁷ Two 6 MHz channels were allocated in most markets, although Dallas/Fort Worth, Houston, and Miami received only a single 6 MHz allocation. Subsequently, the FCC assigned additional television channels in both New York and Los Angeles exclusively for public safety use.

There is no question that this spectrum has been used extensively by public safety and I/B licensees during the past 40 years. The markets in which it is available remain among the most heavily populated communities in the nation and the growth in wireless communications during this period is uncontested. For I/B licensees in these markets, T-Band is absolutely essential.

⁷ The FCC also allocated spectrum in Cleveland and Detroit but it was never made available for use by PLMR licensees because of issues with Canada's use of the spectrum. *See* 47 C.F.R. § 90.303.

The FCC has not allocated additional spectrum for the non-public safety PLMR community for over 25 years.⁸ The only way demand can be met is by deploying more efficient technology. Fortunately, a number of PLMR vendors have introduced digital equipment in recent years that not only improves efficiency but provides enhanced capabilities needed by companies to increase their productivity.

However, the benefits of digital technology are optimized when deployed on systems with at least some control channels that are exempt from monitoring requirements under FCC Rule Section 90.187. It is effectively impossible to find such frequencies in the 450-470 MHz range in these populated markets. UHF channels in cities like Los Angeles, New York, and even Pittsburgh support multiple licensees all of which vie for airtime on a party line-type basis. T-Band spectrum is the only Part 90 allocation below 800 MHz where frequencies are not heavily shared and can qualify for a monitoring exemption. The I/B community was well on its way in a migration from analog to digital technology in these spectrum-scarce markets when the T-Band Freeze was adopted.⁹ The impact of the freeze and the overall uncertainty regarding the future of I/B T-Band spectrum on that migration and on the ability of I/B licensees to meet critical communications needs cannot be overstated.

⁸ The 900 MHz band was the last such allocation. As discussed below, this spectrum is fully utilized in all of these markets as well.

⁹ The FCC waived the narrowband requirement for this spectrum at the same time. See Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, *Order*, WT Docket No. 99-87, 27 FCC Rcd 4213 (WTB/PSHSB/OET 2012).

III. T-BAND SPECTRUM IS ESSENTIAL FOR MEETING BUSINESS COMMUNICATIONS REQUIREMENTS, IS NOT SUBJECT TO THE ACT'S DIRECTIVE, AND IS A SPECTRUM RESOURCE FOR WHICH THERE IS NO COMPARABLE REPLACEMENT

A. The Need for this Spectrum is Well-Documented

The Public Notice requests detailed information regarding the current utilization of T-Band spectrum, the breakdown between I/B and public safety licensees, the equipment used by these systems, and the “use cases” for which they are deployed.¹⁰ The responses to most of these questions can be found in the Land Mobile Communications Council (“LMCC”) comments in this proceeding that the Alliance helped prepare and in the report submitted by the National Public Safety Telecommunications Council (“NPSTC”) on this subject (“NPSTC Report”). There is no need for EWA to repeat that data, which demonstrates conclusively the vital importance of this band to the entire PLMR community. These frequencies are used for emergency responder communications, for environmental and health care services, for transportation activities, and to meet the needs of an almost limitless array of small and large businesses in each of these markets.

If implementation of the Act were dependent on a finding that this spectrum is underutilized by the PLMR industry, the outcome would be a certainty. On a per kilohertz basis, it is among the most intensively used spectrum in the country. Moreover, it is used not for entertainment purposes or to enable non-critical personal communications, but to meet some of our most urgent societal needs. In response to the Public Notice question, even with respect to I/B frequencies, these are not communications functions that could be satisfied on a commercial

¹⁰ Public Notice at 2.

broadband network.¹¹ Virtually every business uses commercial service of some sort to meet certain communications needs but requires other solutions for mission-critical and similarly specialized activities, ones that use facilities that are available when commercial systems all too frequently are not, as described in the LMCC Comments. There simply is no public interest rationale that would support the “repurposing” of this spectrum for a future auction with questionable revenue-raising potential and uncertain utilization value.¹²

B. The Act is Silent with Regard to I/B T-Band Spectrum

EWA recognizes that it was not the Commission’s decision to recover public safety T-Band spectrum for auction purposes. Absent a change in the Communications Act, one that EWA would strongly support, the FCC has no choice but to fulfill its statutory obligation. But the Alliance again must emphasize that the Act is unambiguously specific in its identification of the spectrum to be auctioned. It does not include even a suggestion that the FCC is required to recover I/B as well as public safety T-Band frequencies for that purpose.

Because I/B and public safety frequencies are interleaved within the band, the Public Notice questions whether the FCC should relocate I/B licensees as well as public safety “to clear larger contiguous blocks of T-Band spectrum for auction that would be likely to generate higher bids.”¹³ EWA’s response is NO. Congress could have, but did not, direct the FCC to clear all T-Band spectrum being used for land mobile communications. Congress could have, but did not, direct the FCC to take all actions necessary to maximize the revenue that might be raised from

¹¹ *Id.* at 4. The Public Notice also questions whether T-Band I/B licensees might be able to meet their requirements by operating their own broadband networks. The Alliance assumes this question is rhetorical as the FCC has never allocated and is not expected to allocate any broadband spectrum for non-public safety PLMR users.

¹² As noted in the LMCC Comments, given the very limited geographic area within which T-Band spectrum is allocated for PLMR use and the fact that it will remain surrounded by even more intensively “repacked” high power television stations, it seems highly unlikely that the spectrum will be used for broadband wireless service. Indeed, it is unclear who Congress, or now the FCC, expects to bid on this spectrum or what the auction revenue is likely to be.

¹³ Public Notice at 3-4.

this future action. Indeed, Congress could have, but did not, mandate that auction revenues must be used to fund the relocation of public safety systems and must be adequate for that purpose, presumably by setting a spectrum reserve price, but left that to the discretion of the Assistant Secretary of the National Telecommunications and Information Administration. The Commission can do no less than Congress has directed, but it need not do more and substitute its own judgment as to what Congress might have meant to mandate. While EWA believes that the statute should be amended to rescind this provision in its entirety, it urges the FCC not to make any assumptions as to Congressional intent and exceed what the Act requires regarding the use of I/B T-Band spectrum, a matter as to which the Act is totally silent.

C. There is No Comparable Replacement I/B Spectrum

As noted above, the I/B Part 90 user community has received no new spectrum allocation in more than 25 years. The 800 MHz¹⁴ and 900 MHz frequencies¹⁵ available to I/B licensees in these 11 markets all are fully assigned and have been for many years. There is no “vacant” spectrum in these bands to which T-Band licensees could be relocated.

The VHF and UHF channels available under FCC Rule Section 90.35 are not in any way comparable to T-Band frequencies. Those two bands have been used by I/B entities for more than a half-century. They are intensively utilized throughout the nation and even more so in

¹⁴ The 800 MHz spectrum being vacated by Sprint Nextel Corporation (“Sprint”) as part of 800 MHz rebanding will be substantial given Sprint’s very deep spectrum position in all of these markets. But it is reserved for the first three years of availability for public safety and for two years thereafter for public safety and critical infrastructure industries. See 47 C.F.R. § 90.617(g). It is doubtful that any channels will remain available in these heavily congested markets after the three-year exclusively public safety access period expires and certainly none will be available at the end of five years when many EWA members would qualify to apply.

¹⁵ The FCC froze the 900 MHz band almost nine years ago, also in relation to the 800 MHz rebanding proceeding. See “Wireless Telecommunications Bureau Freezes Applications in the 900 MHz Band,” *Public Notice*, WT Docket No. 02-55, 19 FCC Rcd 18277 (2004). It finally lifted that freeze – ironically – in 11 markets in late November 2012, but those were areas such as North and South Dakota, Wyoming and Alaska rather than Los Angeles and New York. However, the freeze has no actual impact on replacement spectrum in the T-Band markets since all 900 MHz I/B channels in those markets have been fully licensed for decades. See “Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Announce the Completion of 800 MHz Band Reconfiguration in Certain NPSPAC Regions,” *Public Notice*, WT Docket No. 02-55, 27 FCC Rcd 14775 (PSHSB/WTB 2012).

these 11 densely populated markets. As explained above, the number of co-channel and adjacent channel licensees on these frequencies in major metro areas prevents them from being assigned on other than a heavily shared basis. By contrast, the rules governing Part 90 T-Band have created meaningful opportunities for exclusive licensing. This, in turn, has been a key element in supporting an analog to digital migration, an essential step toward meeting business communications requirements in these cities. A forced relocation from exclusive T-Band channels to heavily shared VHF or UHF frequencies would be the equivalent of receiving a Geo in exchange for a Porsche and should not be contemplated.¹⁶

D. “Repacking” T-Band to Accommodate Continued I/B Utilization is the Only Potentially Viable Option

EWA has spent considerable time discussing with its T-Band licensee members what, if any, replacement spectrum would be comparable and enable them to maintain their current operational capabilities. The answer is unequivocal - there is no Part 90 spectrum that would be an acceptable substitute. The situation is further complicated by the fact that a very significant percentage of systems use a combination of exclusive T-Band and shared UHF frequencies with the exclusive frequencies functioning as control channels in a hybrid trunked configuration. This combination greatly improves trunking efficiency and supports deployment of more advanced digital technologies with the features and functionalities needed by American businesses. Even if exclusive 800 MHz or 900 MHz channels were available in these markets, which they are not, they could not be substituted for T-Band frequencies in existing hybrid trunked systems.

The Public Notice questions whether the FCC should consider “consolidating non-public safety licensees within a single segment of contiguous T-Band spectrum (e.g., TV Channel 14 at the bottom of the band) in order to clear the remaining T-Band spectrum for auction in

¹⁶ As discussed below, even if this relocation were acceptable, which it is not, there is no identified source of funding to finance such a move.

contiguous blocks.”¹⁷ For all the reasons described herein, EWA believes that I/B T-Band licensees should not be impacted by the Act at all and, instead, should be permitted to continue operating on their current frequencies. However, if the FCC were to determine that relocation was unavoidable, then repacking these licensees into a contiguous portion of T-Band spectrum is the only option that could provide comparability.¹⁸

Implementing such an approach raises a number of additional issues as anticipated in the Public Notice. For example, the FCC asks whether potential regulatory incentives such as expanded market areas or relaxation of certain rules would help facilitate an in-band relocation.¹⁹ The answer, of course, is yes. All relocations are difficult and costly. They are particularly so when the licensee is providing third-party service to customers. Many of these licensees have gone through mandatory relocations more than once in the 800 MHz band and have learned through painful experience that approximately 30% of their subscribers will leave if the move requires that their radios be taken out of operation, however temporarily, to be reprogrammed. This is not a question of cost, but of inconvenience that affects the customer/ operator relationship. To counter-balance the burdens that would be imposed on I/B licensees, both those operating commercial and private, internal systems, regulatory relief along the lines outlined would be appropriate. EWA would be pleased to work with the FCC in formulating appropriate rule changes should that become necessary.

A key question, of course, is how such a relocation would be funded. There is only one answer in the Alliance’s opinion; the same one that has been adopted by the FCC in numerous other instances wherein spectrum was repurposed for sale at auction. The auction winner must

¹⁷ Public Notice at 4.

¹⁸ EWA has no specific knowledge about the use of Part 22 T-Band frequencies. If the FCC mandates relocation of I/B T-Band licensees and if this spectrum is not being utilized, then it should be examined as potential replacement spectrum.

¹⁹ Public Notice at 4.

be fully responsible for paying the negotiated costs of relocating these licensees. In that respect, EWA disagrees strongly with the suggestion in the Public Notice that licensees might be permitted to recover only some of their relocation costs.²⁰ There is no basis for the FCC adopting such a limitation on auction winner responsibilities in this instance, a position that would be entirely at odds with FCC rules in similar situations.²¹ If the Commission determines that I/B T-Band spectrum must be auctioned even though not required by the Act, the FCC must ensure that the auction winner is on notice that it must bear the entire cost of relocating all such licensees. Of course, auction participants presumably would include those costs in calculating their bids, which likely would affect the funds available for public safety relocation.

EWA has engaged Televate, the same organization that worked with public safety to produce the economic conclusions in the NPSTC Report, to analyze the anticipated costs of relocating T-Band licensees within the band. That work is in progress and will be submitted at the Reply Comment stage so that prospective auction participants have a basis for estimating what those costs would be.

IV. THE T-BAND FREEZE SHOULD BE LIFTED IMMEDIATELY

EWA's position on this issue has been clear from the outset: The Commission's decision to freeze virtually all T-Band-related activity, relocating stations, adding channels, even exchanging one channel for another, years in advance of the mandated auction and prior to formulating a proposal for relocating incumbents is unprecedented and contrary to the public interest. Thus, the Alliance says NO to the Public Notice query whether the FCC should

²⁰ *Id.*

²¹ *See, e.g.,* 47 C.F.R. §§ 27.1111 *et seq.*, 90.699.

continue “this suspension until reallocation and relocation are implemented, even if this does not occur until the maximum period of years permitted by Section 6103²²

The Commission has said that it adopted the freeze because “prudent spectrum management dictates that we should stabilize the existing spectrum landscape by suspending the acceptance and processing of T-Band licensing applications that could alter the spectrum landscape **and thereby make implementing the [Spectrum] Act more difficult or costly.**”²³

As it has in numerous filings supporting applicants seeking waivers of the freeze, EWA again respectfully disagrees that the future cost of clearing this spectrum is more relevant to prudent spectrum management than meeting the ongoing requirements of PLMR entities that need T-Band spectrum today to meet critical communications needs.²⁴ The Alliance recognizes that a licensing freeze has become the standard antecedent to the auction of encumbered spectrum. While inconvenient or even disruptive for incumbent licensees, auction participants are entitled to know the spectrum landscape before placing bids and need assurance that it will not change during the course of the auction. But these restrictions should be imposed at the last reasonable time before the information is needed by potential bidders and not at the earliest possible date in an effort to minimize the relocation costs those bidders might incur.

The Spectrum Act says only that the auction must take place not later than nine years from enactment – or February 2021. It suggests nothing about minimizing the relocation costs that will be incurred as a result of the anticipated sale of this spectrum. Moreover, this decision

²² Public Notice at 4.

²³ Freeze PN at 1 (emphasis added).

²⁴ See e.g., “Public Safety and Homeland Security Bureau Seeks Comment on Request for Waiver Filed by Somerset County, New Jersey to Upgrade Its Public Safety Communications System by Modifying Its Sites and Adding Frequencies in the Television Channel 19 (500-506 MHz) Band and a Part 22 Frequency,” *Public Notice*, 27 FCC Rcd 10907 (PSHSB 2012); Comments of EWA filed on Sept. 20, 2012.

is inconsistent with the FCC's past practice vis-à-vis when freezes are imposed in anticipation of a spectrum auction.

For example, the FCC has been auctioning vacant non-reserved band FM allotments on a rolling basis since 2004.²⁵ Like T-Band, which is available for PLMR use in 11 discrete markets across the county, these allotments are geographically distinct. The FCC did not freeze all such allotments in 2004 in anticipation of auctioning them. Rather, it imposes a freeze on "petitions and counterproposals that propose a change in channel, class, community, or reference coordinates for any of the vacant non-reserved band FM allotments" that are included in a particular auction approximately six months prior to conducting the auction.²⁶ EWA recognizes that these auctions do not involve the cost of relocating incumbent licensees. Nevertheless, the Commission has allowed the FM marketplace to operate normally until the FCC takes concrete steps to schedule the competitive bidding process for particular allotments.

EWA addressed the highly disruptive impact of lengthy freezes in its Comments on the T-Band waiver request filed by the Township of Woodbridge, NJ.²⁷ It noted that the processing freeze in the 39 GHz band that was cited by the FCC in support of its T-Band freeze covered only applications filed on or after a date one month before the FCC adopted a Notice of Proposed Rulemaking in which it proposed specific amendments to the technical and licensing rules governing that band, a step the FCC has not yet taken vis-à-vis the T-Band.²⁸ The Alliance also

²⁵ See FCC Auctions 37, 62, 68, 70, 79, 91, 93, and 94.

²⁶ See, e.g., "Auction 94 Freeze Announced for Certain FM Applications and Rulemaking Filings," *Public Notice*, 27 FCC Rcd 10903 (MB 2012).

²⁷ See "Public Safety and Homeland Security Bureau Seeks Comment on Request for Waiver Filed by the Township of Woodbridge, New Jersey to Operate a Trunked Public Safety Communications System Using Part 90 and Part 22 Frequencies in the Television Channel 19 (500-506 MHz) Band" *Public Notice*, 27 FCC Rcd 8238 (PSHSB 2012); Comments of EWA filed on Aug. 7, 2012.

²⁸ Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands, Notice of Proposed Rulemaking and Order, ET Docket No. 95-183, 11 FCC Rcd 4930 at ¶ 124 (1996).

noted the Commission's appropriate sensitivity to the impact of freezes in the context of the 800 MHz rebanding proceeding where it stated the following:

We strongly agree with the parties who point out the adverse effects such a three-year freeze could have on their companies' business plans.... [W]e will do everything possible to minimize the effect the incremental freezes may have on incumbent licensees and new applicants, and direct the Transition Administrator to make accommodations in the implementation plan that will avoid such adverse effects.²⁹

The wisdom of and necessity for imposing a freeze on all spectrum in all T-Band markets almost a decade before the reallocation mandated by the Act, at best, is questionable. It reflects a balancing of the public interest that, in EWA's opinion, without any economic analyses or recognition of the benefits that accrue to the American public through the use of T-Band spectrum, improperly elevates the benefit of cost containment for future bidders over the immediate and ongoing communications needs of public safety, critical infrastructure, and other important PLMR user requirements. The Alliance urges the FCC to lift the freeze immediately and re-impose it only at such time as is essential for a successful auction process.

If it does not eliminate the freeze entirely, the FCC should modify it in light of its devastating effect on PLMR systems as described herein and detailed in the LMCC comments. At a minimum, all applications filed prior to issuance of the Freeze PN should be processed routinely. Additionally, the Commission should modify the T-Band Freeze and make it consistent with the 900 MHz Freeze.³⁰ The FCC would not accept applications for new entities in a market except through assignment, but would permit existing licenses to modify their sites and add or relocate frequencies. This would provide those who have already invested in T-Band spectrum the flexibility needed to maintain service at appropriate levels. It simply is not credible

²⁹ Improving Public Safety Communications in the 800 MHz Band, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, WT Docket No. 02-55, 19 FCC Rcd 14969 at ¶ 204 (2004).

³⁰ See n. 15 *supra*.

that such entities would incur extraordinary out-of-pocket costs to purchase equipment, deploy at additional sites, or expand capacity without a compelling service need to do so, but, instead, in the hope of being “unjustly enriched” by some unknown auction winner at some unidentified date in the future. The 900 MHz freeze model more properly balances the current, identified interests of T-Band licensees and the FCC’s concern about managing relocation costs for auction winners.

V. CONCLUSION

T-Band is an essential PLMR spectrum allocation that I/B and public safety entities have used intensively for decades to meet critical communications needs. EWA urges the FCC to take no action vis-à-vis this band that goes beyond what Congress has mandated specifically in the Act. If the Commission, nonetheless, concludes that it must relocate I/B as well as public safety licensees, it must do so entirely within this band since there is no comparable spectrum to which I/B systems can be moved. Finally, the FCC should lift the T-Band Freeze entirely or, at a minimum, modify it as recommended herein.