



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 29, 2019

The Honorable Eddie Bernice Johnson
Chairwoman
Committee on Science, Space and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Johnson:

Thank you for your March 13 letter regarding the Commission's 24 GHz auction (Auction 102). I share the support you expressed in your letter for United States leadership in advancing 5G technology and deploying next-generation infrastructure. The auction of 24 GHz spectrum is critical to that leadership.

In that regard, Auction 102 began on March 14; the clock phase closed on April 17, with bids grossing nearly \$2 billion, and the assignment phase will begin on May 3. This auction is making available 700 megahertz of spectrum in the 24.25-24.45 GHz and 24.75-25.25 GHz bands for commercial 5G services and applications.

These results come after years of full, fair, and open deliberation. The FCC proposed to open up the 24 GHz band for mobile terrestrial use in 2016. We adopted the service rules for the 24 GHz band two years ago, in 2017. In developing these rules, we followed the standard interagency coordination process. On April 26, 2018, in my written testimony before the House Appropriations Financial Services and General Government Subcommittee, I indicated that we planned to move ahead with auctioning the 24 GHz band soon. A few months later, on August 3, 2018, the Commission adopted the final procedures for Auction 102. In short, the service rules for the 24 GHz band and the procedures for Auction 102 have been public for a long time and were developed with interagency coordination (as well as through an open notice-and-comment process). Moreover, the Commission devoted substantial funds and staff resources to prepare for this auction.

Based on the record compiled by the Commission, the FCC concluded that these rules would protect the 23.6-24 GHz band from interference. The rules are consistent with previous Commission actions in the same range of spectrum. In 2000, for instance, the FCC established rules for operation in the 24.25-24.45 GHz and 25.05-25.25 GHz bands for a high-density fixed and point-to-multipoint wireless broadband service that was later auctioned in 2004 with the same out-of-band emission limits to protect passive services from harmful interference. Below 23.6 GHz, similar out-of-band emission limits were established to protect passive service operations from high-powered fixed service operations. Moreover, federal operations in the spectrum adjacent to the passive service allocation must comply with the same non-federal

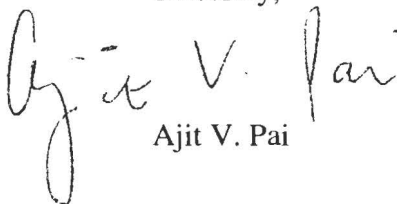
protection limits, as adopted in the manual of the National Telecommunications and Information Administration.

In the nearly-two decades since these rules were adopted, including the past two years during which we specifically solicited input on emission limits for the 24 GHz band, we have not been presented with *any* evidence of harmful interference from these existing services nor a validated study suggesting that operations in accordance with these rules would adversely affect use of the 23.6-24 GHz allocation, including for weather forecasting. The Commission's decisions with respect to spectrum have been and will continue to be based on sound engineering rather than exaggerated and unverified last-minute assertions.

For these reasons, among others, I did not believe that the Commission should delay the March 14 auction just before it was to commence. Such a delay would not have been fair to those bidders that had prepared to participate in the auction. Such a delay would have sent a message that the United States was not fully committed to leading the world in 5G. And most important, such a delay would have been unjustified.

Again, thank you for expressing your concerns in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Ajit V. Pai