

1. Broadband and mobile services, wireless telecommunications:
G/TBT/N/USA/2016/Add.1 dated 18 August 2023

Notifying Member	United States of America
Type of Notification	Addendum to Regular Notification
Economic relevance	Very high
Technical Relevance	Technical New
Last Date to offer comments	Not Available

Proposal in brief

- a. The US Federal Communication Commission proposed to repurpose some or all of the 550 megahertz of mid-band spectrum for mobile broadband or other expanded use including 5G, 5G advanced, and 6G services that will depend on extremely high data rates, and the reliability, low latency, and capacity that the 12.7 GHz band spectrum can provide.
- b. The transition of certain frequency bands, including the 1850–1990 MHz, 2110–2150 MHz, 2160–2200 MHz, and 12,700–13,250 MHz bands, from fixed microwave services to emerging technologies and personal communications services are proposed in the regulation.
- c. The document introduces the concept of "New Entrants," which collectively includes licensees proposing to use emerging technologies to implement Mobile Satellite Services in the 2000–2020 MHz band, those authorized after certain dates in different frequency bands, and those authorized after September 19, 2022, in the 12,700–13,250 MHz band.
- d. New Entrants are required to negotiate with existing licensees operating on a primary basis in the affected frequency bands for the purpose of agreeing to terms under which the existing licensees would relocate their operations to other authorized bands, other media, or accept sharing arrangements with the New Entrants. The document specifies procedures and obligations for the relocation process, including the need for New Entrants to bear a proportional share of the relocation costs based on the amount of spectrum each licensee is assigned relative to the total licensed spectrum in the 12.7 GHz band.
- e. The proposed regulations also include provisions for mandatory negotiations, alternative dispute resolution procedures, and reimbursement of relocation costs. The relocation process is subject to specific timelines and deadlines, with the obligations of New Entrants to relocate Existing Licensees terminating on a specified sunset date.
- f. A request for extension of the FNPRM and NPRM comment and reply comment deadlines, filed on 4 August 2023, was denied on 8 August 2023. The deadlines for filing comments and reply comments (in response to the FNPRM and NPRM) continues to be August 9, 2023, and September 8, 2023, respectively.

Analysis

- a. Comments were due on or before 9 August 2023; reply comments are due on or before 8 September 2023.
- b. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point on or before 4pm Eastern Time on 8 September 2023.
- c. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the FCC Electronic Comment Filing System (ECFS) if received within the comment period.

