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C-Band: Opposition Remains Unified in Face of CBA Push with FCC

Issue: The proposed plan of the Federal Communications Commission (FCC) to free up 200-500 MHz of spectrum in the C-Band—3.7-4.2 GHz— to repurpose and sell to wireless operators for widespread 5G adoption is in focus in Washington.

Impact: As ACG Analytics has [stated](#) previously, it is unlikely that the FCC comes quickly to a conclusion backing the C-Band Alliance (CBA)—consisting of the 4 major satellite operators, Intelsat, SES, Teleset, and Eutelsat—proposal for a secondary market-based spectrum sale in which CBA entirely controls the process and collects all proceeds.

Despite the Federal Communications Commission's (FCC) initial fast-paced consideration of the CBA's proposed private auction of 200 megahertz of C-Band spectrum, a final decision continues to be delayed. Unified opposition to CBA's proposal, voiced yesterday by members of Public Knowledge (an organization supported by AT&T, Amazon, Bloomberg, Charter Communications, DirecTV, Dish Network, Facebook, Google, Microsoft, The National Association of Broadcasters, Netflix, Pandora, Sprint, T-Mobile, TiVo and others), America's Communications Association, and the Rural Broadband Association, continues unabated and no decision appears likely in the immediate future.

Opposition groups continue to insist that the CBA must alter its sale plan and ACG Analytics believes that considering the amount of public pressure, it is likely that ultimately CBA will have to amend its proposal to address 3 main issues: 1) paying for increased reallocation costs for earth-based stations moving to fiber optic cable; 2) thorough vetting of the CBA's ability to free up additional spectrum for widespread use beyond 200 MHz; and that 3) sale proceeds must be shared with the U.S. Treasury. Addressing all 3 conditions

will likely cut deeply into any revenue derived from the satellite providers' spectrum auction.

Next Steps: While the FCC's decision-making timeline remains unclear, the conference yesterday demonstrates that the issue is beginning to attract more public attention in Washington. In late March, FCC Chairman Pai indicated that he is going to evaluate all options before making a decision, arguing that it is important to make the right decision, rather than "*make a right-now decision.*" As the process slows, the risk increases that Congress becomes further involved. However, at yesterday's conference, the Legislative Director for Congresswoman Doris Matsui (D-CA), Chairman of the Congressional Spectrum Caucus, indicated that he believes no such legislation is necessary unless stakeholders cannot come to an agreement on a path forward. Matsui is considering legislation that would mandate that a portion of the proceeds derived from the CBA's spectrum auction go to the Treasury.

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