

# Communications Daily

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Top News

'Next Step'

Lawmakers Shift C-Band Focus to Allocating Auction Proceeds

FCC Chairman Ajit Pai’s Monday decision to pursue a public auction of spectrum on the 3.7-4.2 GHz band (see [1911180026](#)) has shifted some lawmakers’ attention from forcing the commission’s hand to ensuring proceeds from the sale are allocated for rural broadband deployments and other telecom priorities. Senate Appropriations Financial Services Subcommittee Chairman John Kennedy, R-La., and House Communications Subcommittee Chairman Mike Doyle, D-Pa., are aiming to continue advancing the Clearing Broad Airwaves for New Deployment (C-Band) Act ([HR-4855/S-2921](#)) as a potential proceeds allocation mechanism. Kennedy discussed potential pay-for options for C-band proceeds during a Thursday Senate Appropriations Financial Services hearing.

Senate Communications Subcommittee ranking member Brian Schatz, D-Hawaii, Senate Commerce ranking member Maria Cantwell, D-Wash., and Sen. Ed Markey, D-Mass., meanwhile, bowed their Investing in America’s Digital Infrastructure Act Thursday. It would require “nearly all” C-band auction proceeds to be deposited into a Digital Divide Trust Fund that would be used to fund rural broadband and next-generation 911 projects. The measure would require the FCC to auction at least 200 MHz of C-band spectrum. “Our bill will raise billions so that more people can access the internet,” Schatz said in a news release. “We have a once-in-a-lifetime opportunity to advance 5G services and at the same time generate revenue to close the digital divide and upgrade our nation’s 9-1-1 call centers to next-generation technology—all through a proven, transparent process,” Cantwell said.

“We made it pretty clear what Congress’ intent was and that was for the FCC to do a public auction,” Doyle told us. He originally filed HR-4855 in October in a bid to require a public FCC-led auction of C-band spectrum given concerns about the possibility the commission would choose to allow the type of private auction sought by the C-Band Alliance (see [1910240046](#)). The bill would direct the FCC sell rights to use 200-300 MHz of “contiguous” spectrum in the C band by Sept. 30, 2022. It would require the auction to occur in a way that ensures incumbents “receive equal or better service as before” the sale “continuously throughout the transition process.” The measure would reserve a 20 MHz guard band.

“The next step is to move forward with this legislation because we want to create a pay-for for what we want to do with broadband deployment” and other priorities, Doyle said. “If we don’t do that, the

money just goes to the Treasury” and there will be no guarantee it will be allocated for telecom projects. “There’s a lot of things we can do with that kind of money,” including “closing the digital divide” and funding 911 upgrades, he said.

S-2921 will ensure “all of the money is going to go to the American people” through the Treasury, with the first \$10 billion “dedicated to rural broadband” funding, Kennedy told reporters. “Everybody’s going to get to take the trip together. We’re not going to end up in a situation where we only have 5G in cities. This is a lot like rural electrification the 1930s. The people who don’t live in big cities count, too.”

Kennedy hasn’t secured a Democratic co-sponsor for S-2921, but “I know I’m going to get a lot of Republican and Democratic support.” Sen. Chris Van Hollen of Maryland confirmed to us he’s still “thinking about” becoming the measure’s lead Democratic sponsor, but he’s “not sure the bill is necessary at this point,” given Pai’s decision. HR-4855 has two GOP co-sponsors—Greg Gainforte of Montana and Bill Johnson of Ohio.

Doyle and Kennedy want HR-4855/S-2921 to pass before the C-band auction. The FCC’s “confident we can commence this auction before the end of 2020,” said Office of Economics and Analytics acting Chief Giulia McHenry during the Senate Appropriations Financial Services hearing. “We want to get” the bill passed as soon as possible because “it’s important that we get the pay-for” in time for the auction, Doyle told us. “I’m going to work it hard,” Kennedy told reporters. His main intent in Thursday’s hearing was to “dispel the fiction that it will take the FCC seven years” to conduct the auction.

Senate Commerce Committee Chairman Roger Wicker, R-Miss., and House Commerce Committee ranking member Greg Walden, R-Ore., are also thinking about C-band proceeds. “We’ll continue to discuss the merits” of different “paths” for allocating money from the auction, Wicker told us. He and Senate Communications Subcommittee Chairman John Thune, R-S.D., filed their 5G Spectrum Act ([S-2881](#)) after Pai’s announcement. The bill would require the FCC to hold a public auction of at least 280 MHz of C-band spectrum, and require the sale start by Dec. 31, 2020. The measure would require the FCC return at least 50 percent of proceeds to the Treasury.

“I’m going to reserve” judgment on the best way to allocate C-band proceeds until “I get back into” researching the situation, Walden told us. “There will be lots of discussion moving forward on how the money gets allocated” and “we’ll be watching” that process. Pai’s decision “had to be a close call because there are arguments to be made on both sides about what gets you the mid-band [spectrum] available the soonest,” he said. “I’d prefer a public, transparent process generally when it comes to spectrum auction sales, but having been a radio broadcaster, I know there’s a lot at stake.” — *Jimm Phillips*

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## **CTA Weighs In**

### **Comments Complete on Further Infrastructure Revisions; Quick Action Unlikely**

As in initial comments, industry and local governments divided in replies on CTIA and Wireless Infrastructure Association proposals seeking more changes to wireless infrastructure rules designed to accelerate siting of towers and other 5G facilities (see [1910300027](#)). Industry and FCC officials told us it’s unclear when the agency might consider changes. WIA told us talks with municipalities’ allies continue.

Commissioner Brendan Carr, the FCC point person on wireless infrastructure, hasn't committed to anything. The agency has other big, pressing wireless issues before it, led by the C band. Replies were posted Thursday in docket 19-250. The commission didn't comment.

Given the pressure on Chairman Ajit Pai to deliver on mid-band spectrum, the C band and 5.9 GHz proceedings "will dominate 2020, no doubt to the detriment of other priorities," said a former spectrum official. The C-band proceeding will take "literally the entire year," while 5.9 GHz will likely be resolved no later than June and with support of the full commission, the official predicted.

"The record does not warrant the FCC taking any immediate action on the proposals. To the extent there are delays in constructing modifications subject to the Section 6409(a) rules, the record shows the actions (or inaction) of applicants, not local governments, is a significant issue," emailed NATOA General Counsel Nancy Werner, regarding the Spectrum Act. "WIA raised in the last [Broadband Deployment Advisory Committee] meeting the public safety implications of these modifications, and we support the idea of bringing these issues to a balanced working group of the BDAC where we can have a productive conversation about what issues, if any, could benefit from clarifications or rule changes."

"The FCC has a lot on its plate right now," but that has been true since Pai became chairman, said Tom Struble, tech policy manager at the R Street Institute. Timing's tough to predict, he said: "We filed [reply comments](#) ... supporting the petitions and encouraging the FCC to act on them as soon as possible. Some of that could be done pretty quickly, via declaratory ruling, but other things would require a separate rulemaking that would obviously take a while longer."

CTA joined more traditional advocates of infrastructure change. Technology depends on deployment of 5G infrastructure, the group [said](#). "Further technological breakthroughs in artificial intelligence, augmented and virtual reality, IoT, robotics, blockchain, and edge computing will all either rely on, or be enhanced by, 5G connectivity," CTA said: "5G connectivity will offer enhanced broadband capabilities and data-intensive applications that can be utilized by new form factor devices and connected vehicles, low

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latency applications such as cloud robotics and edge computing, and massive IoT services in smart cities, agriculture, and manufacturing.”

### Local Concerns

Many filings from localities and allies opposed FCC action.

NATOA, the U.S. Conference of Mayors and National Association of Counties [said](#) industry provides no evidence the FCC needs to again address infrastructure rules. “Most commenters supporting the Petitions cite to the Petitions themselves as justifying the need for the proposed actions, offering little or no additional specific examples of alleged bad acts necessitating changes to the Rules,” the groups said: “This lack of specificity warrants dismissal of the Petitions without further action.”

San Francisco said local governments rightly object. “Nothing in the [Spectrum Act] suggests that Congress intended the Commission to interfere with local government authority over public health, safety, and welfare in this manner,” the city/county [argued](#): “This Commission has noted that Congress did not intend to prohibit the ability of localities to ‘enforce and condition approval on compliance with generally applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety.’”

“Almost without exception, commenters supporting the Petitions’ requests fail to offer specific evidence, additional information, or supportive material to substantiate the conclusory assertions of the Petitions,” said the National League of Cities and cities and counties large and small. They included Los Angeles, Boston and Baltimore. No data is offered, “only unsubstantiated claims against largely unnamed localities and utilities,” the [filing](#) said.

“Changes to the shot clock rules would allow applicants to determine when and how they submit requests for approval, even if the submittal contravenes established local processes, and inject ambiguity as to whether any incomplete notices, denials or even approvals were effective,” [commented](#) California cities, led by San Diego. “Changes to the substantial-change criteria would dramatically limit concealment elements protected under existing Commission rules and abrogate (or eliminate) commonsense limitations.”

### Telecom's Stance

Industry isn’t backing down.

“All five commissioners have recognized the challenges to deploying next-generation networks, which have unprecedented benefits to the economy,” said WIA Government Affairs Counsel John Howes. “Most local governments are complying with the rules, but some are misinterpreting the rules, which has hindered 5G deployment. WIA has had productive conversations with numerous different parties, including local governments, involved in this proceeding. WIA is committed to finding solutions that can work toward everyone across the U.S. benefitting from mobile connectivity.”

WIA pressed for action, saying Section 6409(a) “is a strong statement from Congress that the speedy deployment of wireless infrastructure and the provision of broadband service to underserved areas are national imperatives.” Action is needed to ensure the protections in the act are “not rendered meaningless.” The record is clear, WIA said. “Clarifying and modifying the rules as requested by WIA and CTIA” also “could ultimately reduce costs and ease burdens for all stakeholders,” WIA [said](#).



CTIA said disagreements over how the rules should be enforced are “causing uncertainty, disputes, and delays that are impeding wireless and 5G deployment at a critical time.” And “contrary to opponents’ incorrect claims that CTIA and WIA are requesting changes to the rules via their petitions for declaratory ruling, these petitions in fact ask only for clarification of existing rules,” CTIA [said](#).

America’s Communications Association urged the FCC to grant CTIA’s request. ACA wants to “clarify that utilities may not seek to impose terms on attachers that conflict with—and thereby undermine—the commission’s rules and that utilities that attempt to impose such terms are not acting in good faith.”

ACA took aim at utilities over pole attachments. Power companies said no change is needed there, either. “No amount of pole attachment regulation will ever be enough for the attaching entities,” [wrote](#) American Electric Power, Duke, Entergy, Southern Co. and others. — **Howard Buskirk**

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## **House Judiciary Advances Bill**

### **Wicker Sees 'More Progress' on STELA Talks, Amid House Markups**

Senate Commerce Committee Chairman Roger Wicker, R-Miss., insisted Thursday he’s also making progress on Satellite Television Extension and Localism Act reauthorization, amid two House committees’ success this week in advancing their own renewal bills. Wicker postponed a markup earlier this month of his original Satellite Television Access Reauthorization Act ([S-2789](#)) amid committee members’ objections (see [191130055](#)). That bill would renew STELA through 2024. The law is set to expire Dec. 31.

The House Judiciary Committee advanced the Satellite Television Community Protection and Promotion Act ([HR-5140](#)) Thursday on a voice vote, as expected (see [1911200048](#)). Ranking member Doug Collins, R-Ga., supported the measure but said he’s “not at all happy with how the markup of this bill came about.” The bill, led by House Judiciary Chairman Jerry Nadler, D-N.Y., would make permanent STELA’s distant-signal compulsory license language but limit its scope to cover only trucks, RVs and households in short markets. It would provide a limited extension of the distant-signal license for all other currently covered subscribers and would require satellite providers using the distant-signal license to serve all 210 designated market areas (see [191180014](#)).

House Communications Subcommittee Chairman Mike Doyle, D-Pa., told us Wednesday he fully intends to “fold in” HR-5140’s distant-signal language into the House Commerce Committee-cleared Television Viewer Protection Act ([HR-5035](#)) before the measure reaches the floor. “We’re dealing with the things” in STELA that are within House Commerce’s purview, he said. HR-5035, which House Commerce advanced Wednesday (see [1911200048](#)), would make permanent STELA’s good-faith retransmission consent negotiations requirement and continue to allow import of distant signals under the compulsory license. The measure incorporates amended language from the Truth-in-Billing, Remedies and User Empowerment over Fees (True Fees) Act ([HR-1220](#)) and would let small MVPDs collectively negotiate for retransmission consent using a qualified buying group.

Doyle and House Commerce ranking member Greg Walden, R-Ore., told us it’s up to Wicker, Senate Judiciary Committee Chairman Lindsey Graham, R-S.C., and other chamber leaders to decide whether it’s preferable to take up HR-5035 rather than advance their own STELA bill. “They’ve been having prob-

lems” advancing a renewal bill in the chamber, Doyle said. “My job was to get it out of here and I did that, so now it’s up to the Senate.” House Commerce’s “job was to get the best product” out of the committee, Walden said. A “strong agreement” means lawmakers can “send over a really good package for the Senate.”

### **'Meaningful Talks'**

Wicker told reporters Thursday he has “been having meaningful talks today with House members” connected to STELA renewal following advancement of HR-5035 and HR-5140.

“There’s more progress than might meet the eye” on efforts to move recertification forward in the Senate, Wicker said. “I would rather not negotiate with the press,” but he’s willing to consider many different proposals beyond the base S-2789 text he filed earlier this month. Wicker called earlier this week for his Senate colleagues to “make their positions clear” on STELA given the limited legislative time left (see [1911190037](#)).

Senate Communications Subcommittee ranking member Brian Schatz, D-Hawaii, and Sen. Marsha Blackburn, R-Tenn., separately told us they don’t believe the impending STELA deadline should be an impediment to a broader media policy revamp. Both are pushing Wicker to move beyond the clean renewal language he sought in S-2789.

“I think the optimal solution at this point is a very short-term reauthorization” for less than a year “that will enable us to do a full-fledged markup in the spring” involving other issues, Schatz said. “Anything longer than that and you’re deciding the existing statute ought not to be changed significantly.” Senate Commerce members “can just buy ourselves some time to let the committee do its work,” he said. “This is one of the main things Commerce does and I don’t want to forfeit that opportunity.” Wicker said he’s considering a short-term extension as one alternative, but “it’s not the only thing I would be open to.”

“I think we can get some things done” even with the sunset date looming, Blackburn said. “Deadlines are always a good thing for pushing action.” She’s seeking to attach language from her Ask Musicians for Music (AM-FM) Act to a STELA measure in a bid to secure a performance right for terrestrial radio (see [1911210067](#)). Legislation to enact a terrestrial performance right remains a lightning rod for broadcaster criticism (see [1902200055](#)).

“I think the broadcasters have got to make their minds up,” Blackburn said. “Are they going to pay for content or not? Because they’re playing both sides of this issue depending on whether its radio or TV. So they need to pick a side and stick with it.” She sought an amendment before the postponed S-2789 markup to require broadcasters to mandate radio stations “obtain the express authority of the copyright owner” of a sound recording to broadcast it (see [1911120062](#)).

### **House Judiciary**

Collins scolded House Judiciary for not acting on the STELA debate sooner, asking “why didn’t we have a hearing on this?”

In “spite of how important this issue is ... this committee dragged its feet and instead fixated” on its investigations into this administration, Collins said. He’s supporting this bill only “because I want to ensure consumers’ screens do not go dark through no fault of their own. I want to land this plane, not steer it into a mountain.”

House Judiciary advanced an amendment from Rep. Zoe Lofgren, D-Calif., that expands beyond the originally proposed 120 days the length of the limited extension of the distant-signal license for categories of subscribers that would be removed from the license. The initial window would be six months, but a satellite company could then apply for a theoretically unlimited number of 90-day license extensions as long as it files a notice with the Copyright Office proving it acted “reasonably and in good faith” to provide coverage to all DMAs. The [amendment](#) also clarifies that “failure to reach an agreement” in a retrans dispute won’t prevent satellite companies from using the distant-signal license.

Lofgren insisted the amendment will guarantee “actual accountability” in ensuring satellite companies don’t misuse the license extension process while providing more of a cushion so that subscribers aren’t unduly cut off from programming. “I don’t feel we have a strong enough” record of evidence to justify the shorter extension, she said. Nadler and House IP Subcommittee Chairman Hank Johnson, D-Ga., supported the amendment. It “creates a good balance” and “should ensure a smooth transition,” Nadler said.

Collins opposed the amendment, saying there’s “no way I can go along with” a process that could allow satellite companies to continue claiming the distant-signal license for a potentially unlimited amount of time. Lofgren’s push shows “a lot of extra issues” House Judiciary never fully vetted, he said. Rep. Louie Gohmert, R-Texas, supported the amendment, saying his constituents are “reluctantly” favoring it, given the limited time before STELA ends.

Rep. Ted Deutch, D-Fla., sought and withdrew an [amendment](#) that mirrored Blackburn’s earlier amendment to S-2789 by requiring radio stations to “obtain the express authority of the copyright owner” of a sound recording to air it. “The time has come to stop subsidizing” radio stations, he said during mark-up. Creating a terrestrial performance right “is the unfinished business” left over after 2018’s Music Modernization Act (see [1810110038](#)). Lawmakers didn’t include terrestrial performance right language in MMA amid a bid to reach a compromise on other music licensing and royalties issues.

Deutch hopes Nadler “commit[s] to moving a performance rights bill through this committee this Congress.” Nadler and Collins said there’s a solution to be had. Nadler intends to reintroduce a performance rights bill “in the near future,” ahead of his filing of the House version of the AM-FM Act. He previously filed the Fair Play Fair Pay Act, which would require most terrestrial radio stations begin paying performance royalties (see [1703300064](#)). Collins wants “an update” on terrestrial performance right talks. — *Jimm Phillips*

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## **Foot on Throat?**

### **Broadcasters Expect FCC QR Appeal to SCOTUS, Unsure on 3rd Circuit Remand Fallout**

An FCC appeal of *Prometheus IV* at the Supreme Court is expected by agency and industry stakeholders. Left unclear is how the rules restored by 3rd U.S. Circuit Court of Appeals will affect the industry in the meantime, said broadcasters and broadcast attorneys at a Media Bureau event on industry trends Thursday. They said the agency shouldn’t wait on the uncertain appeal to deregulate broadcast ownership. Wednesday evening, the 3rd Circuit declined the regulator’s request to reconsider the case (see [1911200063](#))

“Blood” of dying stations will be “on everybody’s hands if we don’t get relief from these outdated, rusty shackles,” said Connoisseur Media CEO Jeff Warshaw. He referred to current broadcast ownership regulations. The FCC declined to comment on the case.



The FCC has 90 days to file with the Supreme Court, [blogged](#) Wiley Rein's Ari Meltzer and Eve Reed, who represented broadcasters in the case. Other parties, such as NAB, are able to seek cert, attorneys said.

Opinions differ on prospects of the high court choosing to hear the case.

SCOTUS typically “will not agree to hear a case if there is not a circuit split or a strong dissent demonstrating that the case is of imperative public importance,” said Reed and Meltzer. “Retention of jurisdiction by the same panel of the same appellate court for more than 15 years has made a circuit split impossible.” But “the FCC’s petition for rehearing did not even merit a response by the public interest petitioners; the appeal is not a good prospect for certiorari,” emailed United Church of Christ attorney Cheryl Leanza, who argued for public interest groups in *Prometheus IV*. FCC arguments for cert would be procedurally based at best, emailed Christopher Terry, University of Minnesota School of Journalism and Mass Communication assistant professor.

The 3rd Circuit’s mandate takes effect Wednesday unless there’s a stay, attorneys said. The mandate will restore the eight-voices test, the prohibition on newspaper/broadcast cross-ownership and other rules. “Nobody knows” exactly what the restoration of those rules means for broadcasters, said Joseph Di Scipio, Fox senior vice president-legal and FCC compliance, during a panel. It’s unclear if the FCC or another entity would seek a stay to block the rules from returning pending a SCOTUS appeal, attorneys said.

The agency shouldn’t wait on a chancy appeal process or an uncertain 2018 quadrennial review order, Warshaw said: The FCC should instead break proceedings out of the 2018 QR and approve them on their own, where they’re less likely to get sucked into further iterations of the *Prometheus* case. Warshaw pointed to FCC-proposed relaxation of local radio subcap limits, which he said are preventing radio groups from attaining the scale needed to grapple with digital competitors. “Please take your foot off our throats; you will eventually kill us,” Warshaw said.

Industry lawyers said in interviews there’s no explicit legal barrier to the FCC’s approving a subcap rule on its own, especially since a record is established. Not everyone agreed. “The FCC’s entire previous quadrennial order was vacated, it is unclear why anyone would think that the FCC should break out smaller pieces of the new docket,” Leanza said. “Detaching rules is just going to lead to more court,” Terry said.

Most radio panelists said their industry’s in trouble.

Revenue in Beasley Media’s radio markets declined 30 percent over 10 years, said CEO Caroline Beasley. “We can’t sit there and just see that pie shrinking,” she said. “Technology companies are eating traditional media,” said Alfred Liggins, CEO of Urban One. Capitol Broadcasting CEO James Goodmon said the panel was one of the “saddest” he had ever seen, and TV station owners will be making similar comments if five years if they don’t adapt to the changing market. The radio business “is shrinking, and will continue to shrink” until it becomes nonviable, Warshaw said.

Competition from technology companies for advertising dollars was a focus of radio and TV executives. The industry hasn’t done a good enough job of convincing ad agencies of radio’s importance, said Hartley Adkins, iHeart president-integrated revenue strategy. The “fragmented distribution” brought by streaming media has created constant competition for audience and for the purchasing of content, said Di Scipio and Brett Jenkins, Nexstar chief technology officer. The only defense against the scale of competitors such as Facebook and Google is to expand and focus on local content, nearly every broadcaster said.

Network relationships with larger broadcasters can squeeze out smaller groups, said Goodmon. As networks and broadcasters grow, pressure increases to give affiliations to big groups that are affiliate partners in other markets and have more-favorable retransmission consent deals, Goodmon said. Nexstar can lose out on affiliation deals, Jenkins said.

Digital versions of broadcast content complicate matters, broadcasters said. In radio, customers who switch from broadcast to digital versions of that content cost stations money, because of licensing costs and the way Nielsen counts broadcast listeners versus digital ones, said Liggins. “Analog dollars” become “digital dimes” he said. For video, local station owners typically don’t see revenue from streaming services such as Hulu or YouTube, said Goodmon: Networks have deals with streaming services, not affiliates. — *Monty Tayloe*

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## **Talks, New Draft**

### **Second Time Could Be Charm for Washington State Privacy Bill**

Washington state is closer to privacy consensus for the 2020 legislative session, said Senate Environment, Energy and Technology Committee Chairman Reuven Carlyle (D) in an interview. After months of talks, industry and consumer privacy groups see momentum on a bill that failed in 2019. The privacy groups said a draft last week improves upon the previous version they thought weighed too heavily in industry’s favor.

Up against the buzzer last spring, the House didn’t take up a Senate-passed version that Microsoft and other tech companies backed but privacy groups condemned (see [1904180036](#)). Carlyle sees “a desire to get to yes” and aims to gain consensus more quickly this time: “I do not expect this to go to the last day.” Carlyle spoke to new House Speaker Laurie Jinkins (D), who he said is “very committed to resolution” and more up on tech issues than the previous speaker. Releasing a draft two months before session starts allows time for feedback, Carlyle said this week.

Carlyle said he has listened “very intently to the deep concerns of some of the opponents” and is working closely with House Innovation, Technology and Economic Development Committee Chairman Zack Hudgins (D). Carlyle tried to make consumer rights more explicit and took another pass at consent, enforcement and various definitions, he said. Consumer groups had a “very legitimate” concern about a loophole allowing companies to continue using data even after a user requested its deletion, Carlyle said. He didn’t add a private right of action sought by some privacy groups but would be open to reviewing that issue in a few years.

Washington’s privacy bill is “incredibly important to get right,” said Center for Democracy and Technology Privacy and Data Project Director Michelle Richardson in an interview. “Everybody’s watching Washington as one of the most likely to get across the line” in 2020 because lawmakers “got so far last year.” Businesses seek an alternative to the California Consumer Privacy Act to use as a model elsewhere, while consumer privacy groups see “potential to add in new protections for users that we haven’t seen in other states,” including data minimization and secondary-use limitations, she said.

Privacy advocates complained last session about feeling excluded from the process in favor of Washington-based tech companies like Amazon and Microsoft. “It’s been a very open process,” Carlyle

said about the fresh effort to reach consensus, though he said process concerns are sometimes “euphemisms for the outcome.” Carlyle sees the presence of big tech companies in his state as an advantage for writing a good privacy bill.

Hudgins appreciates Carlyle “listening to my concerns with such intentionality, and the clear changes he made to many parts of his bill,” the House member emailed in an update last week with the new draft. “I do have some concerns and questions and I am working through those details.”

### Positive Steps

The new draft would explicitly give consumers rights to opt out, as well as to access, correct, delete and move data.

It would require businesses to conduct a data protection assessment for personal data processing activities “that present a heightened risk of harm to consumers, such as processing for purposes of targeted advertising or processing sensitive data,” said a summary. The state attorney general would enforce the proposed law, which has no private right of action. Proposed privacy rules apply to businesses that target residents and that control or process data of more than 100,000 consumers or derive 50 percent of gross revenue from sale of personal information and control or process data of more than 25,000 consumers.

Washington’s bill is “moving in the right direction” but isn’t “there yet,” said CDT’s Richardson. It has “more principles that are about better corporate behavior and not just individual responsibilities,” she said. But CDT is worried the bill is more concerned with whether a company tells consumers what it’s going to do than making objective standards about what a company should be doing. The group supports a method for citizen complaints to supplement limited AG resources, though including a private right of action wouldn’t likely be a “red line” for the group, Richardson said.

The measure is improved from last session, emailed Justin Brookman, Consumer Reports director-consumer privacy and technology policy. “There’s been more outreach than there was at this point last year,” showing “the extent of opposition from advocates last year may have surprised them.” Brookman applauded removal of language “predicating privacy rights on companies’ internal risk determinations.” He said lawmakers should tighten definitions including for sale, de-identified and pseudonymous, and add more consumer protections about first-party obligations and nondiscrimination.

The draft bill improves in some ways on the California Consumer Privacy Act and EU’s general data protection regulation, said Interactive Advertising Bureau Senior Director-Public Policy Alex Propes in a

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statement: “We welcome the acknowledgement of the benefits of pseudonymized data in providing meaningful protections to consumers.” IAB supports opt-out here over opt-in in GDPR, he said. Differences with state laws in California and Nevada show “the need for Congress to pass a uniform federal privacy standard that provides greater clarity to consumers and businesses alike,” he said.

TechNet and members are reviewing the draft and conversing with legislators, said Samantha Kersul, TechNet executive director-Washington. Microsoft, Comcast and others in industry didn’t comment through Thursday. — *Adam Bender*

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## **Wi-Fi Uses Eyed**

### **FCC Releases Draft 5.9 GHz NPRM, Other Items Set for Vote at Dec. 12 Meeting**

The FCC’s draft NPRM on the 5.9 GHz band says segmenting the band, with 45 MHz allocated for Wi-Fi and other unlicensed and 30 MHz for intelligent transportation systems, is the best approach to the long underutilized band. ITS “remains a critical priority” but times have changed since the FCC allocated spectrum for dedicated short-range communications (DSRC) 20 years ago, the draft says. The agency released items set for a vote at commissioners’ Dec. 12 meeting. They include media and suicide prevention hotline actions and an NPRM on clearing the 3.3-3.55 GHz band.

The 5.9 GHz draft doesn’t provide much insight on negotiations between the FCC and the Department of Transportation in the months since Chairman Ajit Pai scuttled the initial Further NPRM in response to DOT concerns (see [1906180072](#)). The FCC laid out the proposal in detail Wednesday. DOT then argued the entire band should be set aside for safety (see [1911200055](#)).

“This 45/30 megahertz split for unlicensed devices and ITS applications is intended to optimize the use of spectrum resources in the 5.9 GHz band by enabling valuable additions and enhancements to the unlicensed ecosystem and by continuing to dedicate sufficient spectrum to meet current and future ITS needs within the vehicular-related ecosystem,” the [NPRM](#) says. “This proposal seeks to provide the spectrum necessary for unlicensed operations to implement the widest, highest throughput channel permitted by industry-developed standards ... while clarifying the technical rules and eliminating uncertainty for the development and deployment of ITS applications.”

The NPRM questions the viability of continuing to use the band for DSRC. DSRC “has evolved slowly and has not been widely deployed within the consumer automobile market,” the draft says. It “has seen only limited deployment, and much of it appears to be supported by grants for demonstration projects or limited deployment.”

Other alternatives have emerged, the FCC argues: “Long-range radar systems in the 76-81 GHz band are especially useful for automatic emergency braking systems and adaptive cruise control systems.” Cellular vehicle to everything (C-V2X) “has been gaining momentum as a means of providing transportation and vehicle safety-related communications and has the support of many of the world’s automotive interests.”

The draft notes growing importance of Wi-Fi and other unlicensed services. In combination with the adjacent 5.725-5.825 GHz U-NII-3 band, 5.9 GHz would “enable the first contiguous 160 megahertz channel

for U-NII devices,” the FCC says. “Our proposal to make a 160 megahertz channel available for use without dynamic frequency selection continues the U.S.’s role as an innovator and global spectrum policy leader.”

The draft NPRM on the 3.3-3.55 GHz band is short and notes the goal is to satisfy a Mobile Now Act requirement. “We propose to remove the existing non-federal secondary radiolocation and amateur allocations in the 3.3-3.55 GHz band and to relocate incumbent non-federal operations out of the band, in order to prepare the band for possible future shared use between commercial wireless services and federal incumbents,” the [draft](#) says: “We also seek comment on relocation options and transition mechanisms for incumbent non-federal operations.” Moving the allocations would take “an important initial step towards satisfying Congress’s directives and making as much as 250 megahertz of spectrum from this band potentially available for advanced wireless services, including 5G,” the draft says.

Telecom carriers and interconnected VoIP service providers would have an 18-month deadline to allow use of 988 for calling the National Suicide Prevention Lifeline, under the [draft NPRM](#). It seeks comment whether using an N11 code instead would lead to big delays since all those codes are widely used. It estimates 6,000 local exchange switches and remotes would need replacement or software upgrades to direct 988 calls, asking how to handle the 95 area codes using both seven-digit dialing and 988 as a prefix. FCC Chairman Ajit Pai said earlier this week a 988 NPRM would be on the December agenda (see [1911190054](#)).

Cable operators might have to notify local franchise authorities of rate and service changes only if required by the LFA under the 30-day notice [draft NPRM](#). It would make clear cable operators have no obligation to notify subscribers 30 days before changes due to programming negotiations breaking down in that time before contract expiration. Instead, subscribers would have to be notified “as soon as possible,” the FCC says. Such notices would be “clearer and more meaningful,” it says, seeking comment on means for notifying subscribers. The agency questions how LFA notices are of value since almost no localities can regulate basic tier rates.

Commissioners will vote on a draft remand and declaratory ruling on VoIP symmetry for the Connect America Fund in docket 10-90 to develop a unified intercarrier compensation regime. It proposes the ruling have retroactive effect to clarify past behavior. It rejects assertions that would result in “manifest injustice.”

The draft order on streamlining noncommercial and low-power FM license rules would eliminate requirements for certain certifications in governing documents, alter the processes for tie-breakers, and extend the construction period for LPFM stations to three years, among other [changes](#). General industry support is expected. The item isn’t expected to be controversial among commissioners, an FCC official said. — *Howard Buskirk, Matt Daneman, Monica Hogan, and Monty Tayloe*

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## **‘Too Many Unknowns’**

### **DOD Criticizing Ligado Plans, but Company Sees Spectrum Grab**

DOD has been raising issues behind the scenes with the FCC to avoid technical or legal review of its arguments against Ligado’s license modification applications, and its opposition isn’t grounded in data in the docket, said the company in a docket 11-109 filing Thursday to be posted. It includes a June 7 letter to the FCC from then-acting Defense Secretary Patrick Shanahan and Nov. 18 letter from now-Secretary Mark



Esper. DOD opposition “appears to be an attempt to grab spectrum” not allocated to it, Ligado said, saying the lack of public communication on its views “means the DOD lacks any legitimate basis” for opposition.

DOD letters cite a 2018 National Executive Committee for Space-Based Positioning, Timing and Navigation report to the Commerce Department and NTIA urging against the Ligado license modification requests. “There are too many unknowns and the risks are far too great to federal operations to allow Ligado’s proposed system to proceed,” Esper said. “All independent and scientifically valid testing and technical data shows the potential for widespread disruption and degradation of GPS services from the proposed Ligado system.” Esper asked the FCC to reject the sought modifications. He said any proposals for use of the bands adjacent to GPS shouldn’t get approval unless they meet transmission power level limits in the Transportation Department’s adjacent band compatibility assessment. Shanahan used nearly identical wording. DOD and the FCC didn’t comment now.

The DOT study has been before the FCC for 18 months, and the DOD offers nothing new, Ligado said. There’s no legal or data basis for applying a 1 dB limit to GPS-adjacent spectrum, and that noise floor metric has never been used for such a purpose “and would cripple the potential of Ligado’s spectrum to advance 5G.”

Ligado said DOD has statutory authority to operate GPS, but the FCC has statutory authority to decide how GPS will be protected. It said its agreements with GPS manufacturers, its own testing and the record demonstrate that GPS would be protected. It rejected DOD criticisms of testing done under a cooperative agreement with Ligado at the National Advanced Spectrum and Communications Test Network, which DOD co-sponsors. “That dog won’t hunt,” Ligado said, saying those cooperative agreements are a regular tool for industry/government cooperation. Ligado [recapped](#) meetings with aides to Commissioners Brendan Carr and Jessica Rosenworcel at which it argued that, with its applications pending for four years, the FCC “should end the unreasonable delay” and schedule a vote.

Competitive Carriers Association is pushing the FCC. It [cited](#) Pai’s calling for a C-band public auction (see [1911180026](#)) and said the 40 MHz of L band could be made available for terrestrial use even more quickly. “Speed matters for 5G,” CCA said. — *Matt Daneman*

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## Comm Daily® Notebook

### Judge Rejects DOJ Motion to Intervene in T-Mobile/Sprint as 'Untimely'

Refusing to delay a Dec. 9 trial in states’ lawsuit against T-Mobile’s buying Sprint, U.S. Magistrate Judge Robert Lehrburger denied as “untimely” a DOJ motion to intervene so it can ask to disqualify the lead attorney for states, Munger Tolson’s Glenn Pomerantz. The judge denied the motion from the bench at U.S. District Court for the Southern District of New York in New York City Thursday. Justice said there’s a conflict of interest because Pomerantz represented the U.S. in litigation over the failed AT&T/T-Mobile. Lehrburger said DOJ knew about Pomerantz since April but didn’t come to court until Nov. 8. It “could have and should have moved earlier,” he said: If allowed to intervene two weeks before trial, and the attorney were disqualified, there would be “extreme prejudice” to plaintiffs because they would have to scramble to get a new representative up to speed. The department argued that since it settled with the carriers, DOJ’s an adverse party

to the states that its former attorney Pomerantz now represents. Lehrburger noted defendants say they don't object to Pomerantz because their priority is going to trial quickly, and he's "not sure there's taint if the defendants aren't challenging it." The U.S. didn't convince the judge the government would suffer much harm from Pomerantz's knowing possibly sensitive U.S. information, Lehrburger said. —**AB**

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## Shaken/Stir Implementation Mandate Could be Forthcoming, Pai Again Warns

With implementation of secure handling of asserted information using tokens (Shaken) and secure telephone identity revisited (Stir) call authentication not where it should be, rules to require it could be coming, FCC Chairman Ajit Pai said Thursday at the Robocall Symposium of the New England States, per [prepared remarks](#). He's "generally been pleased" with progress, but it's not enough. He said staff "is actively working on developing regulations to make this happen" and there could be a vote on the new rules if the deadline isn't met. Pai previously warned of a mandate in 2020 if Shaken/Stir deployment isn't voluntarily completed this year (see [1907110023](#)).

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## NARUC Board OKs 6 GHz Request to FCC With Tweak, and IP CTS ASR Standards

NARUC's board OK'd two resolutions asking the FCC delay telecom-related changes, meeting attendees told us. One [resolution](#) asked the agency to delay sharing 6 GHz frequencies with unlicensed

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devices including for Wi-Fi until automatic frequency coordination (AFC) can be proven to ward off interference. Critical Infrastructure Committee Chair Gladys Brown Dutrieuille and Telecom Committee Chair Karen Charles Peterson worked out an agreement about making a further change to the last sentence of the item before the board met, as some had expected (see [1911180050](#)), said NARUC General Counsel Brad Ramsay in an interview Thursday. The sentence now says the association, referring to critical-infrastructure industries, recognizes “the criticality of utility and other CII communications in the 6 GHz spectrum band,” and asks the FCC to “modify its proposal to not allow unlicensed operations in the 6 GHz band unless and until such time that it has tested and proven that its AFC system works as intended to protect license holders, including utility and other CII systems, and it is demonstrated that unlicensed operations will not cause harmful interference to license holders as determined by the FCC.” Utilities Technology Council CEO Joy Ditto said the item “sends a strong signal to the” FCC “it must first ensure it can protect the mission-critical communications networks located in the 6 GHz band before it allows unlicensed users access to the band. Ensuring that the numerous critical-infrastructure communications networks, including utilities, public safety, oil and gas, telecommunications companies, and many others, are protected from interference is absolutely essential if the FCC is to proceed with this plan.” NARUC’s board also okayed asking the FCC to set automatic speech recognition standards for IP captioned telephone service before allowing ASR reimbursement, as expected (see [1911150011](#)). The FCC declined to comment. —JM

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## Capitol Hill

### House Commerce Clears Broadband Mapping Legislative Package, Other Bills

The House Commerce Committee advanced nine tech and telecom bills, including an [amended](#) version of the Broadband Deployment Accuracy and Technological Availability (Broadband Data) Act broadband mapping legislative package ([HR-4229](#)), as expected (see [1911190037](#)). The committee cleared all nine measures Wednesday on voice votes. HR-2881 and Senate version [S-893](#) would require the president develop a strategy for ensuring security of 5G networks and infrastructure (see [1903270065](#)). Also passed: [H. Res. 575](#), the Secure 5G and Beyond Act ([HR-2881](#)), the Mapping Accuracy Promotes Services Act ([HR-4227](#)), the Network Security Information Sharing Act ([HR-4461](#)), the Promoting U.S. Wireless Leadership Act ([HR-4500](#)), legislation to renew the Undertaking Spam, Spyware and Fraud Enforcement With Enforcers beyond Borders Act ([HR-4779](#)), the Secure and Trusted Communications Networks Act ([HR-4998](#)) and the Studying How to Harness Airwave Resources Efficiently (Share) Act ([HR-5000](#)). H. Res. 575 would express the sense of the House that 5G development stakeholders should consider adhering to proposals adopted at the May Prague 5G Security Conference on a cooperative approach to security, with each nation free to develop its own policies (see [1905030052](#)). HR-4227 would forbid knowingly giving the FCC inaccurate coverage data (see [1909110071](#)). HR-4461 would direct the Homeland Security secretary create a “program to share information regarding supply chain security risks with trusted providers of advanced communications service and trusted suppliers of communications equipment or services.” The [amended](#) HR-4500 would direct NTIA to encourage U.S. companies and others to participate in international standards-setting bodies (see [1905150066](#)). The [amended](#) HR-4998 would require the FCC provide \$1 billion in funding to help small carriers remove equipment from companies that may be a security risk (see [1909240065](#)). The

[amended](#) HR-5000 is aimed at reasserting the existing roles of the FCC and NTIA in managing and sharing federal spectrum.

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## **Senate Passes CR to Extend Government Funding Through Dec. 20; Bill Goes to Trump**

The Senate voted 74-20 Thursday to [pass a continuing resolution](#) to extend federal government funding through Dec. 20 ([HR-3055](#)). The House passed the measure earlier this week 231-192. It had previously been an amended version of the House-passed minibus FY 2020 budget bill that includes funding for NTIA, other Commerce Department agencies and the Agriculture Department (see [1910310054](#)). The bid to avert a shutdown, which would happen at midnight Thursday, now heads to President Donald Trump. The White House said he planned to sign it.

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## **Rep. Rose Introduces Legislation Creating Program for Flagging Terror Content**

Rep. Max Rose, D-N.Y., introduced legislation Thursday that would create a program in which experts flag terrorist content for social media companies. The Raising the Bar Act would establish a program modeled after a similar EU one and “would hold social media companies accountable to their own written standards and encourage the kind of partnerships that are needed to properly stop the spread of terrorist content online,” Rose said. House Homeland Security Committee Chairman Bennie Thompson, D-Miss., co-sponsored the bill.

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## **Wireline**

### **FCC Should Compensate VRS Providers for Specialized Services, NAD Says**

[Standardized compensation rates in traditional video relay services](#) don’t cover specialized video relay service costs, the National Association of the Deaf [said](#), posted Wednesday in docket 10-51. Along with NAD, representatives from the Cerebral Palsy and Deaf Organization and Telecommunications for the Deaf and Hard of Hearing Inc. met Monday with officials from the FCC Consumer and Government Affairs Bureau and the Disability Rights, Managing Director, and Economics and Analytics offices to “express grave concerns with the lack of movement on the trial periods of the provision of deaf interpreters.”

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## **Wireless**

### **Starks Says 'Find It, Fix It, Fund It' Report Can Inform Network Security Threat Response**

[Takeaways on wireless network security](#) can help “shape the debate surrounding the U.S. approach to addressing threats posed by untrusted communications equipment currently located in U.S. communi-

cations networks,” FCC Commissioner Geoffrey Starks said on a [report](#) Thursday on the integrity of 5G, 4G and 3G networks. Concerns continue over possible risks from Chinese manufacturers such as Huawei and ZTE. Starks hosted the workshop June 27 (see [1906270039](#)). The FCC [released](#) Thursday quotes from lawmakers, DOJ and interest groups supporting national security supply chain rules set for a vote Friday (see [1911200030](#)).

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## National Academy of Sciences Opposes Petition on Table of Allocations Footnote

The National Academy of Sciences’ Committee on RF (CORF) opposed a Millimeter Wave Coalition petition to modify allocation table footnote US246 to allow emissions into exclusive passive bands. The request “should be rejected because it is inconsistent with and cannot be executed under the rules and procedures” of the ITU, CORF [said](#) in FCC docket 18-21, posted Thursday. “Interference-free access to the US246 bands is uniquely important for scientific use of the spectrum.” The coalition defended the August petition (see [1910150032](#)).

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## FCC Seeks Comment on Waiver Request for Drone Hazard Detection System

The FCC Office of Engineering and Technology sought comment on a waiver request by Leica Geosystems to allow its Ictos radar system on commercial drones. The system uses multiple radar modules in the 60-64 GHz for hazard detection in flight. Leica says the technology would permit an unmanned aerial vehicle to “acquire close-up views of structural exteriors that would otherwise be difficult to safely obtain,” OET [said](#) Thursday: “Leica states that the collision between a UAV and a structure that it is scanning risks damage to the UAV and to the structure, as well as injury to persons on the ground.” Comments in docket 19-350 are due 30 days after publication, replies 15 days later.

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## Internet

### Commerce Department Still Hopes to Propose Tech Export Controls Soon

The Commerce Department hopes to release proposed controls on emerging technology exports “in the next couple weeks,” said Matt Borman, deputy undersecretary for export administration. “We’ve got a set that we’re working on in internal review,” he told a Materials and Equipment Technical Advisory Committee meeting Wednesday. “So we’re hoping to get those through interagency [review] and out for public comment in the next couple weeks.” Officials have said for months the controls would be released soon, and companies and trade groups are growing concerned (see [1911070026](#)). Also at the meeting, Borman said decisions on Huawei license applications are coming (see [1911210027](#)). —IC

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## Yang Warns US Is Falling Behind China on Tech Because of OTA Loss

The U.S. is 24 years “behind on technology” because the Office of Technology Assessment was shuttered, candidate Andrew Yang said during Wednesday evening’s Democratic presidential primary debate, citing China as a threat. The U.S. is in the “process of potentially losing the [artificial intelligence] arms race to China right now, because they have more access to more data than we do,” he said, noting the billions China has spent subsidizing AI development. It was the only mention of tech and telecom policy issues. OTA closed in 1995.

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## State Telecom

### CPUC Seeks Comment on Compensating for Federal Lifeline Decrease

With the federal Lifeline subsidy decreasing (see [1911200015](#)) to \$7.25 from \$9.25 monthly Dec. 1, the California Public Utilities Commission sought comment on if it should authorize wireline providers to recover the lost \$2 per wireline participant from the California LifeLine fund or another funding source from Dec. 1 to Nov. 30. “We remain concerned that wireline participants will not have options to avoid rate increases unless the Program fund makes up for the federal subsidy reduction,” said assigned Commissioner Genevieve Shiroma in a Wednesday [ruling](#) in docket R.11-03-013. Most of those participants are served by one carrier of last resort, and many may not have access to reliable wireless service, she said. Comments are due Dec. 10, replies 10 days later, it said.

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## International Telecom

### BIS Exemptions Allowing Some US Exports to Huawei

The Commerce Department Bureau of Industry and Security finalized some interagency reviews of Huawei license applications and will begin issuing approvals and denials on a “rolling basis,” said Matt Borman, Commerce deputy assistant secretary-export administration. Secretary Wilbur Ross [said](#) the department will “send out the 20-day intent-to-deny letters and some approvals” for U.S. companies to export some things to the Chinese telecom gearmaker. Ross said Commerce got about 290 “requests for specific licenses.” BIS plans to approve at least “several” licenses while denying others, a Commerce spokesperson told us after Borman spoke at the agency’s Materials and Equipment Technical Advisory Committee meeting Wednesday. The Semiconductor Industry Association welcomes approvals for licenses that aren’t national security threats. “Sales of these non-sensitive commercial products help ensure the competitiveness of the U.S. semiconductor industry, which is essential to national security,” [said](#) SIA President John Neuffer. —*IC*

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## Telecom Notes

### Pennsylvania Regulations Reviewer Clears Pole-Attachment Rules

Pennsylvania pole-attachment rules got a green light from the state's Independent Regulatory Review Commission at a Thursday meeting livestreamed from Harrisburg. IRRC commissioners voted 5-0 for Pennsylvania reverse pre-empting FCC pole attachment authority, joining 20 other states and Washington, D.C. The Public Utility Commission finalized rules over the summer, but they need the Pennsylvania attorney general's OK (see [1911080016](#)). IRRC Chairman George Bedwick asked why the PUC didn't estimate how much it would cost to implement the rules. The PUC expects minimal cost in the near term because the commission already has a dispute resolution process, replied PUC Assistant Counsel Colin Scott. There could be small uptick in disputes coming to the PUC, but the commission doesn't expect it will need any additional hires, he said. Bedwick also noted legal concerns, previously raised by IRRC (see [1812280044](#)), about the mechanism for automatically adopting changes to federal rules. —**AB**

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## Consumer Electronics

### Sprint to Lure Carrier Switchers With Black Friday Promotions for Phones, Other Devices

Sprint previewed holiday deals it's planning for Monday, led by a freebie for the iPhone 11 for customers switching to the carrier and trading in an iPhone 6s or newer. Also free is an iPad 7 with 24-month contract, Sprint said. Switchers can get a Samsung Galaxy S10 free with a Flex contract. LG is rewarding G8X ThinQ buyers with a free 49-inch 4K smart TV if they buy a model with a dual screen for \$15 monthly or the 5G version for \$19 a month with a new line and 18-month contract. Customers who buy a Harman Kardon Onyx Studio 6 Bluetooth speaker for \$199 get a \$100 airline voucher.

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## Intellectual Property

### Blackburn, Nadler Introduce Legislation for Music Copyright Modernization

Lawmakers introduced legislation Thursday that would require radio services “pay fair market value” to musicians. The Ask Musicians for Music (AM-FM) Act is from Sen. Marsha Blackburn, R-Tenn., and House Judiciary Committee Chairman Jerry Nadler, D-N.Y. Blackburn seeks to attach its language to a Satellite Television Extension and Localism Act reauthorization measure, to secure a radio performance royalty (see [1911210052](#)). The U.S. is an “outlier” for not requiring radio pay artists, “while requiring satellite and internet radio to pay,” Nadler said. RIAA CEO Mitch Glazier said the bill would require “broadcasters to get permission from music creators to use their music in the same way broadcasters are entitled to give permission for the use of their signal.” NAB opposed the measure. CEO Gordon Smith noted a bipar-

tisan group of 201 House members and 25 senators co-sponsored the Local Radio Freedom Act, “a resolution opposing any new performance fee on local radio.”

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## Satellite

### CTA Urges FCC OK of Kuiper Constellation

CTA said another competitor in broadband delivery can speed up innovation and cut consumer costs, in an FCC International Bureau [letter](#) posted Wednesday. It urged the agency expeditiously approve Amazon’s proposed Kuiper Ka-band constellation (see [1907050015](#)).

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## Communications Personals

U.S. Chief Technology Officer Michael Kratsios names **Winter Casey** and **Lynne Parker**, both ex-White House Office of Science and Technology, deputy U.S. CTOs and **Eric Burger**, ex-FCC, assistant director-telecom and cybersecurity ... **Bronwyn Flores** leaving CTA to become Metrc communications manager.

A10 Networks announces **Dhrupad Trivedi**, from Belden, as president-CEO, succeeding **Lee Chen**, who remains board chairman; also says it will add Trivedi to board within 30 days of his joining company ... Fox Entertainment promotes **Tomiko Iwata** to executive vice president-head of creative services ... Nexstar moves **Dominic Mancuso** to vice president-general manager, broadcast and digital operations, WTTV Bloomington, Indiana, and WXIN Indianapolis and related digital and mobile operations.

NARUC elects **Brandon Presley**, Mississippi Public Service Commission, president, succeeding **Nick Wagner**, and **Judy Jagdmann**, Virginia State Corporation Commission, second vice president ... ATIS elects **David Casem**, Telnyx, and **Nader Famili**, Connectivity Wireless, Class C directors ... **Andrew Weinberg**, QualTek, joins CTIA board, effective Jan. 1.

Center for a New American Security (CNAS) [launches](#) Digital Freedom Forum, naming co-Chairs **Jeh Johnson**, ex-Department of Homeland Security; former Sen. **Kelly Ayotte**, R-N.H.; and **Nicole Wong**, Albright Stonebridge; and members **Tom Bossert**, Trinity Cyber; **Chris Calabrese**, Center for Democracy & Technology; **David Danks**, Carnegie Mellon University; **Renee DiResta**, Stanford Internet Observatory; **Richard Fontaine** and **Elsa Kania**, CNAS; **Lisa Hayes**, Center for Democracy & Technology; **Andrew Imbrie**, Center for Security and Emerging Technology; **Jamil Jaffer**, George Mason Law School; **Shanthi Kalathil**, National Endowment for Democracy; **Mara Karlin**, Johns Hopkins University; **Aynne Kokas**, University of Virginia; **Danika Laszuk**, Betaworks Camp; **Chris Meserole** and **Alina Polyakova**, Brookings Institution; **James Murdoch**, Quadrivium Foundation; **Laura Rosenberger**, German Marshall Fund; **Nadia Schadow**, Hudson Institute; **Kori Schake**, International Institute for Strategic Studies; **Sarah Sewall**, In-Q-Tel; **Raj Shah**, Arceo.ai; and from CNAS, Executive Director **Paul Scharre** and Research Director **Kara Frederick**.

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