

## **Telecom Alert: September 19, 2016– IoT Workshop; TerreStar 1.4 GHz Buildout; PTC Spectrum; E-Rate Eligible Services; USF Contribution Factor; FCC Open Meeting**

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### **NTIA Announces Internet of Things Workshop**

The U.S. Department of Commerce National Telecommunications and Information Administration is convening a series of multi-stakeholder meetings concerning Internet of Things (IoT) Security Upgradability and Patching. The initial meeting will be held on October 19, 2016. An associated *Federal Register* notice describes the short-term goal of the multi-stakeholder process as to "develop a broad, shared definition or set of definitions around security upgradability for consumer IoT, as well as strategies for communicating the security of IoT devices to consumers." For a more detailed summary, [click here](#).

### **1.4 GHz Band Buildout Waiver Request**

Last week, the FCC's Wireless Telecommunications Bureau issued a Public Notice seeking comment on TerreStar Corporation's Request for Temporary Waiver of its Substantial Service Requirements for its commercial wireless licenses in the 1.4 GHz band. TerreStar is the sole nationwide licensee in the commercial wireless 1.4 GHz band and is required to demonstrate substantial service for each of its sixty-four licenses by April 23, 2017. The company originally intended to deploy a high-power WiMAX network for smart grid applications, but opted for commercial medical telemetry operations due to interference concerns with the nearby medical telemetry band. TerreStar asked the Commission to temporarily waive the substantial service requirement for its licenses until April 23, 2020, arguing a need to implement wireless medical telemetry services through leasing arrangements with health care providers and wireless medical telemetry equipment manufacturers. Comments are due by October 4, 2016 and Reply Comments are due by October 14, 2016.

## Positive Train Control Spectrum Transfer

The Mobility Division of the FCC's Wireless Telecommunications Bureau issued an Order approving an assignment application of 220 MHz AMTS spectrum from Maritime Communications/Land Mobile, LLC, Debtor-in-Possession to Southern California Regional Rail Authority (SCRRA). The Bureau also granted SCRRA's waiver request to modify the regulatory status of the 220 MHz AMTS spectrum for private positive Train Control (PTC) use for the Metrolink commuter railroad.

## E-Rate 2017 Eligible Services

The Wireline Competition Bureau issued an Order last week adopting the eligible services list for the 2017 E-rate program. In particular, the Bureau altered the description of eligible leased dark fiber to read "Leased Dark Fiber." The revision clarifies the distinction between leased dark fiber and self-provisioned fiber under E-rate program rules. The Bureau also provided an explanation of how to classify connections between multiple buildings of an individual school district when requesting Category One (data transmission services, internet access and voice services) or Category Two (related to on-premise WiFi connectivity) support. The annual application filing window for funding year 2017 will begin no earlier than November 11, 2016.

## Universal Service Contribution Factor

The FCC's Office of Managing Director (OMD) issued a Public Notice announcing the proposed universal service contribution factor for the fourth quarter of 2016 will be 0.174 or 17.4%. The contribution factor is derived from projected total collected interstate and international end-user telecommunications revenues, revenues and the revenue requirements of the four (4) programs supported by the Federal Universal Service Fund. The proposed contribution factor will become final unless the FCC disapproves within fourteen (14) days of this Public Notice; disapproval is highly unlikely.

## FCC Open Meeting

Early last week, the Commission published the agenda for its next Open Commission Meeting, scheduled for Thursday, September 29. The tentative schedule includes a Report and Order on improving Wireless Emergency Alerts, a review of the Commission's foreign ownership policies for television and radio broadcast stations, and a Report and Order that will significantly revise the rules governing cable set top boxes. The FCC's proposed rules and an "app-based" alternative developed by Comcast and supported by the major cable operators and DirecTV elicited substantial opposition. Content providers have identified significant copyright issues with the FCC's proposed rules. Smaller cable operators may be exempt from some or all of the proposed rules.

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