
July 9, 2019

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai:

Western Governors appreciate the Federal Communications Commission's (FCC) efforts to modernize the use of Educational Broadband Service (EBS) spectrum. Responsible management of our nation's spectrum is necessary to accommodate a wide range of radio frequency uses and support the growth of innovative technologies.

As you are aware, many rural communities in the West lack adequate internet access. The vast distances, rugged topography, and complex ownership patterns common in the West significantly increase the cost of constructing physical broadband infrastructure in rural areas. Accordingly, it is incumbent upon the FCC to consider how innovative spectrum usage can support rural connectivity efforts. The use of EBS spectrum presents a valuable opportunity to connect rural communities across the West.

The FCC's 2018 Notice of Proposed Rulemaking ([NPRM](#)), Transforming the 2.5 GHz Band, notes that an open filing window for EBS applications has not been held since 1995. This has prevented many eligible educational institutions from accessing EBS licenses and putting this spectrum to its intended use. The NPRM also states that EBS licenses remain unassigned "across approximately half of geographic area of the United States... primarily rural areas west of the Mississippi River."

The NPRM sought comment on the potential creation of up to three priority filing windows for existing license holders, Tribal Nations, and educational institutions currently lacking a license. The Report and Order ([R&O](#)), released on June 19, 2019, includes only a single local priority filing window for Tribal Nations in rural areas. Western Governors commend the FCC's efforts to prioritize rural Tribal Nations and request that a similar priority filing designation be extended to rural educational institutions. The R&O designates tribal areas as rural "if they are not part of an urbanized area or urban cluster area with a population equal to or greater than 50,000." A similar definition could be used to identify rural educational institutions.

In rural areas where educational institutions have been able to acquire an EBS license, it is common for the EBS licensee to partner with wireless internet service providers to build out broadband networks to otherwise unserved or underserved communities. Innovative partnerships such as these are an effective tool for closing the digital divide in rural areas that lack the business case for traditional broadband investment.

The Honorable Ajit Pai
July 9, 2019
Page 2

Western Governors understand the FCC's desire to expedite the growth of 5G technology and networks, but we urge you to support the needs of rural educational institutions and communities suffering from the lack of adequate communications infrastructure.

Sincerely,



Doug Burgum
Governor of North Dakota
Chair, WGA



Kate Brown
Governor of Oregon
Vice Chair, WGA

Identical letters sent to Commissioners Carr, O'Rielly, Rosenworcel, and Starks