

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Expanding Flexible Use of the 3.7 to 4.2 GHz Band) GN Docket No. 18-122
)

ORDER

Adopted: September 25, 2020

Released: September 25, 2020

By the Chief, Wireless Telecommunications Bureau:

1. On March 3, 2020, the Commission released the *3.7 GHz Band Report and Order*, which adopted new rules to make available 280 megahertz of mid-band spectrum for flexible use, plus a 20 megahertz guard band, throughout the contiguous United States by transitioning existing services out of the lower portion and into the upper 200 megahertz of the 3.7-4.2 GHz band (C-band).¹ With this Order, the Wireless Telecommunications Bureau (the Bureau) announces that RSM US LLP (RSM) satisfies the selection criteria established by the Commission in the *3.7 GHz Band Report and Order* and will serve as the Relocation Coordinator for the 3.7-4.2 GHz transition process.²

2. The *3.7 GHz Report and Order* allowed a search committee of eligible Fixed Satellite Service (FSS) space station operators to select, not later than July 31, 2020, a Relocation Coordinator that will be responsible for managing the overall transition and coordinating relocation actions among eligible FSS space station operators, incumbent FSS earth station operation, and new 3.7 GHz Service flexible-use licensees.³ The *3.7 GHz Report and Order* required that the Relocation Coordinator “must be able to demonstrate that it has the requisite expertise to perform the duties required, which will include: (1) coordinating the schedule for clearing the band; (2) performing engineering analysis, as necessary, to determine necessary earth station migration actions; (3) assigning obligations, as necessary, for earth station migrations and filtering; (4) coordinating with overlay licensees throughout the transition process; (5) assessing the completion of the transition in each PEA and determining overlay licensees’ ability to commence operations; and (6) mediating scheduling disputes.”⁴

3. On July 31, 2020, eligible space station operators announced that they had selected RSM to serve as the Relocation Coordinator.⁵ The search committee determined that RSM has the requisite expertise to fulfill the criteria the Commission adopted in the *3.7 GHz Report and Order* and codified in

¹ *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Proposed Modification, 35 FCC Rcd 2343, 2345, para. 4 (2020) (*3.7 GHz Report and Order*).

² 47 CFR § 27.1413(b); *3.7 GHz Report and Order*, 35 FCC Rcd at 2459, paras. 307-09.

³ *Id.* at 2459-61, paras. 308-09, 313-14. An eligible space station operator is defined as an incumbent FSS space station operator that has demonstrated as of February 1, 2020, that it has an existing relationship to provide service via C-band satellite transmission to one or more incumbent earth stations in the contiguous United States. 47 CFR § 27.1411(b)(2).

⁴ *3.7 GHz Report and Order*, 35 FCC Rcd at 2459, para. 309; 47 CFR § 27.1413(b) (same language).

⁵ Letter from Michael DeMarco, et al., Members of Relocation Coordinator Search Committee, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed July 31, 2020).

its rules.⁶ In a public notice, the Bureau sought comment on whether RSM satisfies these criteria.⁷ In response, the satellite operators submitted a filing describing RSM's qualifications, organizational structure, and plan to satisfy each of the responsibilities set forth in the *3.7 GHz Report and Order*.⁸ No commenters opposed RSM's selection.

4. After reviewing the record regarding RSM and its qualifications, we find that RSM has demonstrated that it has the requisite expertise to perform the duties that section 27.1413(b) of our rules, 47 CFR § 27.1413(b), requires a relocation coordinator for the C-band transition to be capable of performing.⁹

5. Accordingly, IT IS HEREBY ORDERED that RSM US LLP (RSM) satisfies the selection criteria established by the Commission and will serve as the Relocation Coordinator for the 3.7-4.2 GHz transition process.

6. IT IS FURTHER ORDERED that, pursuant to sections 1.4(b) and 1.103 of the Commission's rules, 47 CFR §§ 1.4(b), 1.103, this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Donald Stockdale
Chief
Wireless Telecommunications Bureau

⁶ *Id.*; 47 CFR § 27.1413(b).

⁷ *3.7 GHz Report and Order*, 35 FCC Rcd at 2459-60, paras. 309-10 (establishing selection criteria and directing the Bureau to issue a Public Notice seeking comment on whether the selected entity satisfies such criteria); *Wireless Telecommunications Bureau Seeks Comment on Whether Proposed 3.7-4.2 GHz Relocation Coordination Satisfies Selection Criteria*, GN Docket No. 18-122, Public Notice, 35 FCC Rcd 8152, 8153 (WTB 2020). The Commission further directed the Bureau to issue a final order following the comment period established in such Public Notice, announcing either that these criteria have been satisfied or that they have not been satisfied. *3.7 GHz Report and Order* at 2459-60, para. 310.

⁸ Letter from Susan Crandall, Associate General Counsel, Intelsat US LLC, Petra Vorwig, Vice President of Legal and Regulatory Affairs, SES Americom, Inc., Kelly Tymbrski, LMI Advisors LLC, Counsel, Eutelsat S.A., Jonathan Wiener, Golberg, Godles, Wiener, & Wright LLP, Counsel, Telesat Canada, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122, at 14-15 (filed Aug. 21, 2020) (Satellite Operators *Ex Parte*).

⁹ See *Satellite Operators Ex Parte* at 14-15, 7 (describing how RSM meets each element of the required criteria and stating "RSM will immediately deploy a focused team that possesses intimate knowledge of the C-Band Clearing initiative in order to synthesize all electing [operators] transition plans.").