

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Viasat, Inc.)	File No. SES-LIC-20200811-00852
)	Call Sign E202143
Application for Blanket Earth Station License)	
Using Ka-band Spectrum)	
)	
)	

REPLY COMMENTS OF VERIZON

Viasat, Inc. (“Viasat”) seeks a blanket license to operate 1.8 meter and 2.4 meter Fixed Satellite Service (“FSS”) earth stations in several bands, including the 28.35-29.1 GHz band.¹ Based on the information in Viasat’s Application, its 1.8 meter fixed earth stations are likely to cause harmful interference to Verizon’s 5G 28 GHz network.² Verizon thus requested that the Commission require Viasat to supplement its Application with additional information regarding its expected deployments, including locations, areas, and densities, and other relevant technical details. This information will enable Verizon to more accurately assess how Viasat’s proposed operations will impact Verizon’s 5G deployments.

In its Consolidated Opposition, Viasat claims that Verizon’s interference concerns are “not with the specific operations proposed by Viasat.”³ But, as Verizon showed, the out-of-band-emissions (“OOBE”) from Viasat’s 1.8 meter fixed earth stations operating within 3.23 kilometers of Verizon’s 5G 28 GHz network could significantly degrade Verizon’s 5G

¹ See Viasat, Inc. Blanket License Application, File No. SES-LIC-20200811-00852 (filed Aug. 11, 2020).

² See Comments of Verizon, File No. SES-LIC-20200811-00852 at 3-4 (July 16, 2021) (“Verizon Comments”).

³ Consolidated Opposition to Petition and Response to Comments of Viasat, Inc., File No. SES-LIC-20200811-00852 at 7 (July 29, 2021) (“Viasat Opposition”).

operations, even using conservative assumptions.⁴ Rather than address this concern, Viasat claims that its proposed operations will not “violate any Commission rule.”⁵ But this ignores the Commission’s continuing obligation to ensure that each license application it grants serves the public interest.⁶ Even if Viasat’s operations comply with the OOB limits in Section 25.202(f), this is not sufficient to satisfy the public interest standard.⁷ As Verizon has explained in other proceedings, the existing Part 25 OOB limits for FSS do not adequately protect close-by UMFUS operations.⁸ Viasat also fails to address the public interest in allowing terrestrial operators to unleash the full potential of millimeter wave spectrum to support the deployment of innovative 5G services and “ensure continued American leadership in wireless broadband, which represents a critical component of economic growth, job creation, public safety, and global competitiveness.”⁹

Verizon’s request for additional information is not a “collateral attack[] on the Commission’s established licensing procedures,”¹⁰ and there is nothing “misleading”¹¹ about Verizon’s quotation of the *Part 25 Streamlining Order*. While the Commission’s statement that

⁴ See Verizon Comments at 4, tbl. 1.

⁵ Viasat Opposition at 2.

⁶ See 47 U.S.C. § 309.

⁷ See Verizon Comments at 5.

⁸ See, e.g., Comments of Verizon & U.S. Cellular, IB Docket Nos. 17-95 & 18-315 at 8-10 (filed Aug. 24, 2020). This is because, while UMFUS terminals are required to achieve an OOB level of -13 dBm/MHz at the edge of their assigned channel or spectrum block, earth station transmitters are not required to achieve this level of attenuation until the emissions reach 250 percent of the channel bandwidth. As such, depending on the bandwidth of the earth station transmitter, there is a strong likelihood that an earth station will place higher levels of OOB into the 27.5-28.35 GHz band than is allowed by UMFUS transmitters themselves, degrading 5G operations.

⁹ Second Report and Order, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, and Memorandum Opinion and Order, *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, 32 FCC Rcd 10988, ¶ 1 (2017).

¹⁰ Viasat Opposition at 7.

¹¹ *Id.*

“adjacent-band terrestrial operators will have an opportunity to . . . request additional information regarding the earth station operations” was made with respect to unified licenses,¹² the Commission’s statement simply illustrates that potentially affected parties, like Verizon, generally have the opportunity to comment on earth station applications and, if necessary, seek additional information. Indeed, the Commission has made similar statements in other proceedings.¹³ Nor is Verizon’s request for additional information “outside of the scope of this proceeding.”¹⁴ Viasat’s operations have the potential to significantly impact Verizon’s 5G deployments, which is relevant to the public interest. Viasat has no basis to limit the scope of comments that interested parties may submit on its Application.

Respectfully submitted,

/s/ Daudeline Meme

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¹² Report and Order, *Further Streamlining Part 25 Rules Governing Satellite Services*, 35 FCC Rcd 13285, ¶ 21 (2020) (“*Part 25 Streamlining Order*”).

¹³ See, e.g., Second Report and Order, Report and Order and Further Notice of Proposed Rulemaking, *Amendment of Parts 2 and 25 of the Commission’s Rules to Facilitate the Use of Earth Stations in Motion Communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service; Facilitating the Communications of Earth Stations in Motion with Non-Geostationary Orbit Space Stations*, 35 FCC Rcd 5137, ¶ 30 (2020) (stating, in light of terrestrial operators’ legitimate interference concerns, that “should parties have concerns about specific applications for [earth stations in motion (“ESIMs”)], they can be addressed as part of the public comment review process for each ESIM application filed before the Commission. Before granting any of these applications, the possible need to require more stringent limits than those in section 25.202(f) . . . can be considered and addressed as appropriate”).

¹⁴ Viasat Opposition at 7.