

**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

Pursuant to Section 25.120 of the Federal Communications Commission (the “FCC” or “Commission”) rules, 47 C.F.R. §25.120, GCI Communication Corp. (“GCI”) is seeking a 60-day special temporary authorization (“STA”) commencing immediately,<sup>1</sup> to operate an emergency temporary fixed satellite service (“FSS”) earth station in the 3.7-4.2 GHz band and the 5.925-6.425 GHz band (together, the “C-Band”).<sup>2</sup> Specifically, GCI is seeking temporary authorization to install and operate a 3.6 meter Viasat 8136 antenna earth station (the “Station”) in Pilot Station, Alaska to communicate with ALSAT and Eutelsat 115WB. Because GCI is requesting an STA for a period not to exceed 60 days pursuant to 47 C.F.R. §25.120(b)(3), and is

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<sup>1</sup> GCI submits that there are “extraordinary reasons . . . that could not have been earlier foreseen” that warrant a waiver of the three working day review period pursuant to 47 C.F.R. § 25.120(a). Here, GCI is seeking emergency, immediate, support for its microwave communications link that has proven to be susceptible to harsh weather in remote areas of Western Alaska. GCI has explored alternative solutions, but such deployments are not adequate or available in this area of Alaska. As a result, GCI anticipates that its services will be severely impacted again this winter, and seeks this emergency STA to permit it to begin construction on the new antenna as soon as possible due to the winter weather fast approaching this month.

<sup>2</sup> GCI recognizes that the International, Public Safety and Homeland Security, and Wireless Telecommunications Bureaus (the “Bureaus”) has imposed a freeze effective April 19, 2018 “on the filing of new or modification applications for [FSS] earth station licenses, receive-only earth station registrations, and fixed microwave licenses in the 3.7-4.2 GHz frequency band.” Based on the text of the Public Notice, STA requests for FSS earth station licenses in the C-Band are not covered by the freeze. However, out of an abundance of caution, if the Bureaus were to determine that such an STA is considered a filing prohibited by this freeze, GCI respectfully requests a waiver of the freeze, as a grant of this STA request would “serve the public interest and not undermine the objectives of the freeze,” as detailed herein and further discussed in GCI’s request for waiver of this filing freeze in connection with its application for a new FSS earth station license. *See also Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations and Fixed Microwave Stations in the 3.7-4.2 GHz Band, 90 Day Window to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band*, Public Notice, 1, 3, DA 18-398 (rel. Apr. 19, 2018).

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concurrently filing a request for regular authority for this service,<sup>3</sup> this application need not be placed on public notice and should be granted expeditiously pursuant to the rules. GCI's operation of the Station will not cause harmful interference into surrounding networks, and as demonstrated below, there are extraordinary circumstances supporting the immediate grant of these temporary operations that are in the public interest and any delay in the institution of these temporary operations would seriously prejudice the public interest.

Grant of this request for STA is necessary for GCI to continue providing reliable communications services, including critical emergency 911 services, to GCI's customers during the winter and spring months and would serve the public interest. GCI seeks this STA now so that it may construct the necessary equipment prior to onset of the winter season and accompanying harsh weather, which often begins in September in this area of Alaska. Pilot Station and the surrounding communities are served by a tower located on Pilcher Mountain. Based on previous weather-related impacts to similar towers on neighboring mountains, the Pilcher Mountain tower is also expected to experience severe icing issues that will cause its microwave link, which services remote villages in western Alaska (including Pilot Station),<sup>4</sup> to become unreliable.<sup>5</sup> This link is the primary link to communications in these villages, and

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<sup>3</sup> As discussed above, GCI recognizes the current filing freeze on new applications for FSS earth station licenses, and is seeking a waiver of the freeze in connection with its filing of a new application for a FSS earth station license, demonstrating that a waiver will serve the public interest and not undermine the objectives of the freeze. *See* IBFS File No. SES-LIC-INTR2019-03315 (filed Sept. 18, 2019, Submission ID: IB2019003315).

<sup>4</sup> This icing of the microwave network has also affected GCI's operations to other remote areas in western Alaska, including Nunam Iqua and Mountain Village. Accordingly, GCI is concurrently seeking permanent and temporary C-Band authorizations in these areas as well.

<sup>5</sup> GCI experienced severe icing issues on a nearby mountain – Askinuk Mountain – in past years, which affected service in another remote community in Alaska – Chevak. GCI ultimately received an emergency STA, and was granted a waiver of the Filing Freeze to receive a permanent C-Band authorization for an earth station in Chevak due to “(1) the unique operational

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provides not only mobile wireless voice and broadband services, but also supports the following important and critical services:

- Yukon Kuskokwim Health Corporation - Telehealth Services: Satellite data circuit supporting an internal/private point-to-point data network extension from YKHC Subregional Clinics. YKHC has subregional health clinics in the covered communities, which GCI serves from this location. Uses of the satellite circuit likely include Voice-Over Internet Protocol (VoIP) calling, video teleconferencing, internal/private systems/records access, e-mail and other forms of communications.
- Lower Yukon School District in Emmonak, Alakanuk, Nunam Iqua, St Mary's, Mountain Village, Pitkas Point, Pilot Station – Distance Learning Services: Satellite data circuit primarily supporting Internet access serving the School District. Secondary access via this Internet “pipe” includes VoIP calling, video teleconferencing, internal/private systems/records access, etc.
- Federal Aviation Administration (FAA) – Federal Government Assistance: Satellite data circuits transport images from weather cameras to assist pilots in determining real-time local weather conditions throughout the state in an effort to reduce weather-related aviation incidents and last-minute changes to flight patterns.
- GCI's Rural Wireless System: Satellite data circuit supporting GCI's cellular/rural wireless system to provide wireless services – including wireless 911, subscriber authentication, voice trunking, wireless data, etc. – in the covered communities.

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conditions in remote western Alaska, (2) the absence of viable alternatives, and (3) the importance of the services that GCI provides to these remote Alaskan villages.” *In the Matter of GCI Communication Corp. Request for Waiver of the Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations in the 3.7-4.2 GHz Band*, IBFS File No. SES-LIC-20180608-01392, Order, DA 19-725, ¶ 6 (IB Aug. 1, 2019).

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- Critical Long-Distance Voice Service: GCI offers Measured Toll Service (“MTS”) for consumers and businesses using the C-Band spectrum via trunking over the microwave radio system. This allows residents to contact state troopers and other emergency officials at all times via wireline 911, but especially in critical situations.

Due to the critical services at stake, GCI has examined a number of potential options to replace its microwave services, including utilizing the Ka-Band or Ku-Band VSAT stations and utilizing new or existing fiber infrastructure, however these emergency deployments proved not to be an adequate solution in this area of Alaska.<sup>6</sup> As a result, GCI’s remaining option is to seek this emergency STA to utilize the above-referenced antenna on C-Band spectrum, as well as to seek permanent authority for these operations. Without a grant of this requested temporary authority, remote residents in western Alaska may not have access to vital communications services, including accessing 911 services during the upcoming winter and spring months.

Here, “there are extraordinary circumstances requiring temporary operations in the public interest” and “delay in the institution of these temporary operations would seriously prejudice the public interest.”<sup>7</sup> A grant of this STA would continue to allow GCI to provide critical services to extremely remote western Alaskan residents over this license during the winter and spring months. Many, if not most, of these affected residents rely solely on GCI’s services for a link to the world outside of their remote villages. This is due in large part to the challenging nature of providing mobile service in Alaska. Such challenges include “its remoteness, lack of roads,

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<sup>6</sup> GCI’s exploration of alternative solutions is discussed in further detail in GCI’s request for a waiver of the filing freeze accompanying its application for permanent authority in this location, and GCI incorporates that information herein by reference. *See* IBFS File No. SES-LIC-INTR2019-03315 (filed Sept. 18, 2019, Submission ID: IB2019003315).

<sup>7</sup> 47 C.F.R. §25.120(b)(1).

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challenges and costs associated with transporting fuel, lack of scalability per community, satellite and backhaul availability, extreme weather conditions, challenging topography, and short construction season.”<sup>8</sup> GCI relies on the C-Band in order to provide its FSS operations, and has a very long history of providing C-Band satellite communications solutions in Alaska in ways that advance the satellite technology space in an effort to provide communications services in rural Alaska. In addition, the substantial public service record of GCI indicates that the company is committed to providing service to consumers in Alaska; and it has sought regular authority for such a license, in order to avoid encountering a situation such as this in the future. Because GCI does not want service to its customers, including potential access to emergency services, to be implicated during the pendency of this request, it is also requesting this STA. Allowing a STA to permit GCI to provide service over the C-Band, for 60 days, would certainly be in the public interest. This continued service illustrates a “compelling reason” to expeditiously grant the requested STA.

In addition, GCI’s proposed construction of the earth station antenna as detailed in this application does not require FAA notification prior to construction pursuant to the FCC’s rules, as the antenna height will be under 6.10 meters or 20 feet.<sup>9</sup>

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<sup>8</sup> *Connect America Fund; Universal Service Reform – Mobility Fund; Connect America Fund - Alaska Plan*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 10139, 10162, ¶ 72 (2016) (“*Alaska Plan R&O*”) (citing *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17829, ¶ 507 (2011) (“*USF/ICC Transformation Order*”), *aff’d sub nom. FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014)).

<sup>9</sup> See 47 C.F.R. § 17.7.

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