

Wireless Roundup (May 2023)

April 28, 2023

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Key Wireless Deadlines

FCC Seeks Comment on Implementing New Leasing Model for the

4.9 GHz Band: In this Further Notice of Proposed Rulemaking (FNPRM), the Federal Communications Commission (FCC or Commission) requests comment on the implementation of its new Band Manager model for the 4.9 GHz band to preserve the public safety applications in the band, while expanding use to secondary non-public safety operations. The Commission asks how to facilitate leasing to non-public safety users, how to manage the revenues that arise from it, and how to ensure preemption rights for public safety operations in the 4.9 GHz band. The FNPRM also seeks comment on implementing its selection process for the Band Manager and on oversight of the Band Manager. Reply comments are due May 1.

FCC Seeks Comment on New Regulatory Framework for

Supplemental Coverage from Space (SCS): In this Notice of Proposed Rulemaking (NPRM), the Commission proposes a new regulatory framework for satellite operators to collaborate with terrestrial service providers and obtain Commission authorization to operate space stations on currently licensed, flexible-use spectrum allocated to terrestrial services. The NPRM proposes to modify the U.S. Table of Allocations for certain segments of the 600 MHz band, the 700 MHz band, AWS H-Block Spectrum, the WCS band, and the 800 MHz Cellular Radiotelephone Service band to authorize mobile-

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satellite service operations on a co-primary basis with existing allocations. The NPRM also seeks comment on additional bands that could be utilized for SCS purposes in the future and whether the FCC's current leasing rules require modification to effectuate the new SCS framework. Comments are due May 12 and reply comments are due June 12.

FCC Seeks Comment on Implementing Low Power Protection Act (LPPA): In this NPRM, the Commission requests comment on implementing the LPPA, which provides certain low power television (LPTV) stations with a limited window of opportunity to apply for primary spectrum use status as Class A television stations. The Commission seeks comment on how to implement the window consistent with Congressional direction and tentatively concludes that the application window will be limited to one year. The Commission also seeks comment on its conclusion that LPTV stations that convert to Class A status under the LPPA must comply with interference protections set forth in the Commission's rules. Comments are due May 15 and reply comments are due June 12.

FCC Seeks Comment on Secure Equipment Act R&O and FNPRM: The FCC is seeking comment on the Secure Equipment Act (SEA) Report and Order (R&O) and FNPRM. The FNPRM requests input on how to address component parts, modules, and composite systems; revocations of existing authorizations for covered equipment; and competitive bidding certifications, among other issues. Reply comments are due May 8.

Upcoming Meetings and Events

FCC Open Meeting: The next FCC Open Meeting is scheduled for May 18. Meeting details and agenda can be found [here](#). The agenda includes:

- Unlocking Cutting-Edge Radar-Enabled Technologies Draft R&O
- Optimizing Spectrum for Services from 6G to Satellite Draft R&O and FNPRM and NPRM and Order
- Expanding Call Blocking Requirements Draft Seventh R&O in CG Docket 17-59 And WC Docket 17-97, Eighth FNPRM in CG Docket 17-59, and Third Notice Of Inquiry in CG Docket 17-59

FirstNet Authority Board Meeting: The FirstNet Authority combined board and board committees meeting will be held on May 3. More information can be found [here](#).

NSTAC Public Meeting: The President's National Security Telecommunications Advisory Committee (NSTAC) meeting will be held on May 16. More information and registration details can be found [here](#).

Cyber Corner

FTC RFI on Business Practices of Cloud Computing Providers: The Federal Trade Commission (FTC) issued a Request for Information (RFI) on the Business Practices of Cloud Computing Providers. The RFI seeks comment on "the competitive dynamics of cloud computing, the extent to which certain segments of the economy are reliant on cloud service providers, and the security risks associated with the industry's business practices." The FTC is also interested "in the impact of cloud computing on specific industries including healthcare, finance,

transportation, e-commerce, and defense” and poses several questions specific to cybersecurity. Comments are due May 22.

4th Annual Multi-Cloud Conference and Workshop: The National Institute of Standards and Technology (NIST) will hold its 4th Annual Multi-Cloud Conference and Workshop on May 24 and May 25. More information can be found [here](#).

Did You Know?

May 9: Daniel Brooks, Edgar Class, Eve Klindera Reed, and Kevin Rupy are presenting a webinar on The FCC’s Proposed Changes to Regulation of International Telecommunications Service.

Sara Baxenberg and Josh Turner will speak at the upcoming XPONENTIAL conference held by the Association for Uncrewed Vehicle Systems International.

Megan Brown was a panelist at the American Bar Association’s 2023 Administrative Law & Regulatory Practice Institute and the Homeland Security Law Institute.

John Burgett presented on “Regulatory & Policy Hot Topics” at the Public Media Technology Summit.

Eve Klindera Reed spoke at the 3rd National Forum on Team Telecom.

Wiley created a Sanctions and Export Controls Resource Center, which hosts our latest insights related to sanctions, export controls, digital currency, cybersecurity and privacy, and other issues surrounding Russia's invasion of Ukraine.

Check out our **Consumer Protection Newsletter**

The latest edition of the *Wiley Consumer Protection Download* is available [here](#).

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CISA Seeks Comments on New Security Attestation for Software Procurements

The FCC Releases International Section 214 Order and NPRM, Proposing Major Changes to the Regulation of International Telecommunications Service

State Lawsuit Over New Cyber Rule Tees Up Legality of Federal Policy Changes

The US Government is Working Globally to Shift Cyber Duties: New Report Shows Ambitious Goals

FCC Publishes Robotexting Report and Order and FNPRM in the Federal Register

State Privacy Update: California Finalizes New CCPA Regulations and Iowa Becomes the Sixth State to Adopt Comprehensive Privacy Legislation

Podcast: AI Risk Management: A Discussion with NIST's Elham Tabassi on the NIST AI Risk Management Framework

Podcast: Hosted Payload Episode 3

FCC To Propose Sweeping Changes to Regulation of International Telecommunications Service