

109TH CONGRESS
1ST SESSION

S. 1767

To require the Federal Communications Commission to reevaluate the band plans for the upper 700 megaHertz band and the un-auctioned portions of the lower 700 megaHertz band and reconfigure them to include spectrum to be licensed for small geographic areas.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2005

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Federal Communications Commission to reevaluate the band plans for the upper 700 megaHertz band and the un-auctioned portions of the lower 700 megaHertz band and reconfigure them to include spectrum to be licensed for small geographic areas.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds the following:

5 (1) The Federal Communications Commission
6 adopted the band plans for the upper 700 mega-
7 Hertz band in 2000 and the lower 700 megaHertz

1 band in 2002, and there was much uncertainty at
2 the time regarding the timing of broadcasters' mi-
3 gration from the 700 megaHertz bands when these
4 band plans were developed.

5 (2) There has been increased consolidation in
6 the wireless industry in recent years, as a result of
7 completed and proposed mergers of several major
8 nationwide and regional carriers, and there is a rec-
9 ognized need to enhance deployment of spectrum re-
10 sources in rural and underserved areas.

11 (3) The Commission has recently reevaluated
12 its band plan for the upcoming advanced wireless
13 services auction at the 1.7 and 2.1 gigaHertz bands
14 in light of these same factors.

15 (4) All of the remaining 700 megaHertz com-
16 mercial licenses consist of very large geographic area
17 licenses known as "Economic Area Groupings", with
18 only 6 licenses available for each of the A, B, and
19 E blocks in the lower 700 megaHertz band, and the
20 C and D blocks in the upper 700 megaHertz band.

21 (5) It is appropriate and important for the
22 Commission to conduct a rulemaking proceeding to
23 reevaluate the lower and upper 700 megaHertz band
24 plans, and to include in that reevaluation a consider-
25 ation of—

6 (B) whether the existing band plans will
7 facilitate wireless deployment in rural and un-
8 derserved areas as well as enhance competition
9 in markets of all sizes.

10 SEC. 2. FCC PROCEEDING.

11 The Federal Communications Commission shall ini-
12 tiate a proceeding no later than June 1, 2006, to reevalu-
13 ate and reconfigure its band plans for the upper 700
14 megaHertz band (currently designated Auction 31) and
15 for the un-auctioned portions of the lower 700 megaHertz
16 band (currently designated as Blocks A, B, and E). In
17 the proceeding, the Commission shall reconfigure the band
18 plans to include spectrum to be licensed for small geo-
19 graphic areas, taking into consideration the competitive
20 benefits, unique characteristics, and special needs of re-
21 gional and smaller wireless carriers.