



August 3, 2023

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: Unlicensed Use of the 6 GHz Band, ET Docket No. 18-295; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz, GN Docket No. 17-183: Notice of Ex Parte Presentation

Dear Ms. Dortch:

Please find attached a letter from public safety and critical infrastructure stakeholder organizations whose members are 6 GHz incumbent licensees. This letter responds to an *ex parte* filing by Monisha Ghosh regarding research with the National Science Foundation at a Wi-Fi 6E deployment by the University of Michigan and the University of Notre Dame.¹ We are filing this letter in the above-referenced proceedings to inform the Commission of our request for the underlying data and algorithms that were used in the research and our invitation to compare the academic findings with the results from multiple real-world interference tests that have been conducted by several incumbent licensees and engineering firms and submitted on the record in the FCC's proceeding regarding unlicensed use of the 6 GHz band.

Pursuant to Section 1.1206 of the Commission's rules, this *ex parte* submission is hereby filed through ECFS in the above-referenced docketed proceedings. Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,

UTILITIES TECHNOLOGY COUNCIL

/s/ Brett Kilbourne
Brett Kilbourne
Senior Vice President Policy and General Counsel
Utilities Technology Council
2550 South Clark Street, Suite 960
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202-872-0030

¹ See Letter from Professor Monisha Ghosh, University of Notre Dame to Marlene H. Dortch, Secretary, Federal Communications Commission in ET Docket No. 18-295 (filed July 21, 2023).

August 3, 2023

Professor Monisha Ghosh
Department of Electrical Engineering
202 Cushing Hall of Engineering
University of Notre Dame
Notre Dame, IN 46556

Dear Dr. Ghosh:

We represent public safety and critical infrastructure organizations whose members are licensees in the 6 GHz band. We are writing in response to your *ex parte* filing with the Federal Communications Commission (FCC) on July 21, 2023, reporting your meeting with representatives from the Office of Engineering & Technology to discuss research with the National Science Foundation (NSF) regarding the Wi-Fi 6E deployment at the University of Michigan and the University of Notre Dame.¹

Incumbent stakeholders have repeatedly offered to collaborate with Wi-Fi proponents and have urged the Commission to facilitate real-world testing. As you may know, some of our organizations submitted an *ex parte* filing in this proceeding to propose conducting measurements of Wi-Fi 6E devices at the University of Michigan's network deployment.² In that filing we stated that "[t]his new 15,500 Wi-Fi 6E access point network at the University of Michigan ... represents a unique opportunity for the Commission and all affected stakeholders to measure actual operating characteristics for Wi-Fi 6E." Specifically, we proposed collaborative testing "with any interested stakeholders (both unlicensed proponents and licensed incumbents)" and the goal of the testing was to "gather data to demonstrate what specific inputs should be modeled in the underlying Monte Carlo simulations relied upon by the Commission and unlicensed proponents." Since incumbents were not involved in the testing your team conducted, we would welcome the opportunity to review the underlying data from your tests and the methodology that was used, consistent with your statement that you "encourage future evaluation of coexistence between incumbents and unlicensed devices in 6 GHz," and "are open to collaboration with all interested stakeholders in carrying out the research necessary to inform future actions."³ This review may enable us to understand your conclusions and determine why they are inconsistent with the interference

¹ See Letter from Professor Monisha Ghosh, University of Notre Dame to Marlene H. Dortch, Secretary, Federal Communications Commission in ET Docket No. 18-295 (filed July 21, 2023).

² See Letter from Brett Kilbourne, UTC, Aryeh Fishman, EEI, Brian O'Hara, NRECA, Corry Marshall, American Public Power Association, and Robin Cohen, Enterprise Wireless Alliance to Marlene H. Dortch, Secretary, FCC in ET Docket No. 18-295 (filed Sept. 26, 2022)(supporting conducting real-world measurements of Wi-Fi 6E devices at the University of Michigan). See also Letter from Becky Tangren, Vice President and Associate General Counsel, NCTA, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 18-295 at 2 (filed Aug. 15, 2022)(reporting the Wi-Fi Upgrade Project at the University of Michigan).

³ Id at 2.

studies and the results of real-world field tests that have been conducted by incumbent licensees and engineering firms and submitted on the record in this proceeding.

In addition to discussing test methodologies and results, we would welcome the opportunity to discuss incumbents' perspectives on the nature of the threat harmful interference from unlicensed devices poses to mission critical communications. For example, focusing on median RSSI values might lead to the mistaken conclusion that LPI devices do not pose an interference risk to incumbents. We would be pleased to work with you to address this essential aspect of a meaningful interference analysis, as well as to collaborate with your team in conducting future research and studies in this area.

Thank you for your consideration and we look forward to your reply. If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

UTILITIES TECHNOLOGY COUNCIL

/s/ Brett Kilbourne

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