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December 11, 2019

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: *Ex Parte* Presentation of ACA Connects—America's Communications Association;  
*Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122**

Dear Ms. Dortch:

On December 9, 2019, Ross Lieberman of ACA Connects—America's Communications Association ("ACA Connects") and I met with Will Adams, Legal Advisor to Commissioner Brendan Carr, to discuss the above-captioned proceeding.

During the meeting, we reiterated ACA Connects' position that any successful repurposing of significant C-Band spectrum for 5G use must permit existing MVPD earth station operators to be reimbursed for costs of migrating their video operations from the C-Band to fiber.<sup>1</sup> We noted that there are several potential fiber-based video delivery solutions available for these MVPDs, and none of these solutions would foreclose video programmers or others from maintaining use of the C-Band to deliver video. Moreover, the costs for an MVPD to employ such solutions would be comparable to those of the substantial equipment upgrades, labor costs, and other transition activities required under the C-Band Alliance plan, but the benefits could potentially be much greater.

Accordingly, ACA Connects urges the Commission in its next Order to ensure that MVPD earth station operators are given the flexibility – and the funds – to elect fiber-based video solutions that best meet their needs. ACA Connects encourages the Commission to seek comment on the adoption of a transition plan for MVPDs that includes these elements. We also suggested in the meeting that the Commission should rule in its next Order in this proceeding that qualifying costs incurred after the Order's release will be reimbursable, so as to jump-start

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<sup>1</sup> See, e.g., Letter From Ross Lieberman, ACA Connects, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Nov. 15, 2019).

the transition.<sup>2</sup> Finally, any transition plan the Commission ultimately adopts for MVPDs must put in place a neutral administrator – rather than CBA – to oversee the transition.

This letter is being filed electronically pursuant to Section 1.1206 of the Commission's rules. Please address to the undersigned any questions regarding this filing.

Sincerely,



Brian Hurley

Cc: Will Adams

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<sup>2</sup> Without such a ruling, incumbents will decide to defer relocation expenditures until they are certain such expenditures will be defrayed; this may delay transition-related activities for the better part of a year, until the FCC releases a further Order.