

Wireless Roundup (March 2020)

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Upcoming Filing and Comment Deadlines

FAA Proposes Remote Identification Requirements for UAS: The Federal Aviation Administration (FAA) released a Noticed of Proposed Rulemaking requesting comment on whether to require the remote identification of unmanned aircraft systems (UAS) in U.S. airspace (a summary of the NPRM can be found [here](#)). Remote identification would allow persons on the ground to determine the identity of an unmanned aircraft in flight and would require manufacturers to equip UAS using an FAA-approved compliance mechanism. Comments are due March 2.

FCC Issues Enforcement Advisory Reminder for CPNI Filings: Telecommunications carriers and interconnected Voice over Internet Protocol providers must file annual certifications documenting compliance with Customer Proprietary Network Information (CPNI) rules by March 2.

Petitions for Reconsideration on Strengthening the Lifeline Program: Oppositions are due March 2 in response to the Federal Communications Commission's (FCC or Commission) Public Notice seeking comment on: (1) TruConnect and Sage Telecom

Communications, LLC's petition for reconsideration or waiver; (2) WTA-Advocates for Rural Broadband's petition for reconsideration; and (3) Sprint Corporation's petition for reconsideration, clarification, or waiver. All three petitions ask the FCC to reconsider aspects of the Lifeline Modernization Fifth Report and Order. Replies to oppositions are due March 12.

FCC NPRM on Establishing a Private-Led Consortium to Trace Back Unlawful Robocalls: The FCC released a Notice of Proposed Rulemaking requesting input on proposed rules to establish a consortium of private companies to trace back the origins of potential unlawful robocalls. The Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (a summary of the legislation can be found [here](#)) requires the Commission to promulgate a rulemaking to create this private consortium. Reply comments are due March 2.

FNPRM on Universal Service and National Security Threats: Reply comments are due March 3 on the FCC's Further Notice of Proposed Rulemaking requesting input on whether eligible telecommunications carriers (ETCs) should be required to remove wireless equipment or services provided by a designated prohibited company. Additionally, the item seeks comment on whether removal of covered wireless equipment should be required regardless of ETC status.

FCC Seeks Comment on Use of the 5.9 GHz Band: Comments are due March 9 on the Commission's Notice of Proposed Rulemaking which suggests splitting the 5.850-5.925 GHz (5.9 GHz) band between Dedicated Short Range Communications (DSRC) systems, Cellular Vehicle to Everything (C-V2X), and unlicensed operations. The 75-megahertz channel is currently reserved exclusively for DSRC, which operates in the Intelligent Transportation System radio service. Reply comments are due April 6.

FCC Seeks Comment on Diameter Protocol Best Practices: Comments are due March 11 on a Public Notice issued by the FCC's Public Safety and Homeland Security Bureau (PSHSB) requesting input from communications service providers and other stakeholders on the implementation and effectiveness of the Communications Security, Reliability, and Interoperability Council (CSRIC) recommendations regarding the Diameter Protocol. Additionally, PSHSB requests feedback on any progress, barriers, and lessons learned following implementation.

Public Notice on Suggested Revisions to Wireless Infrastructure Project Notifications: The Commission requests feedback through its Public Notice on ways to improve FCC Forms 620 and 621 for wireless infrastructure projects. The forms are used to notify State Historic Preservation Officers, Tribal Historic Preservation Officers, and other Tribal Nation representatives of potential infrastructure projects that may impact designated historic properties under the National Historic Preservation Act. Comments are due March 13, and reply comments are due March 28.

OMB Requests Comment on AI Memorandum: The Office of Management and Budget (OMB) seeks comment on a draft Memorandum providing guidance to federal agencies on the development of regulatory and non-regulatory approaches to support the advancement of artificial intelligence (AI) technologies and industrial sectors. Comments are due March 13.

FCC Seeks to Refresh the Record on Truth-in-Billing: Reply comments are due March 13 on the Commission's Public Notice seeking comments to refresh the record on ways to modernize its truth-in-billing rules. Specifically, the FCC requests input on whether to extend the rules, which currently only apply to wireline and wireless common carriers, to interconnected Voice over Internet Protocol (VoIP) providers.

NIST Requests Input on Second Draft of Zero Trust Architecture Publication: The National Institute of Standards and Technology (NIST) seeks comment on its second draft of NIST Special Publication (SP) 800-207, *Zero Trust Architecture*, which discusses the core logical components that comprise a zero trust architecture (ZTA) network plan. ZTA refers to an evolving group of network security paradigms that narrow defenses from wide network perimeters to individual assets. Comments are due March 13.

NPRM on Designating a National Suicide Prevention Hotline Number: Reply comments are due March 16 on the FCC's Notice of Proposed Rulemaking which considers designating "988" as the national dialing code for a suicide and mental health crisis hotline. The NPRM would require all telecommunications carriers and interconnected VoIP service providers to make any necessary network changes to ensure nationwide dialing capabilities within 18 months of the publication of a final rule.

Fifth FNPRM on Improving Wireless E911 Vertical Location Accuracy: The Commission is soliciting feedback on its Fifth Further Notice of Proposed Rulemaking to revise its E9-1-1 rules to incrementally narrow the z-axis metric with the goal of eventually requiring wireless carriers to report an emergency caller's floor level. Additionally, the FCC seeks comment on alternative deployment goals for the z-axis and dispatchable location capabilities. Reply comments are due March 16.

NPRM on Facilitating Shared Use in the 3.1-3.55 GHz Band: Reply comments are due March 23 on the Commission's Notice of Proposed Rulemaking which requests input on a proposal to clear the 3.3-3.55 GHz band of non-federal users. The FCC also seeks comment on how to prepare for possible future shared use in the 3.1-3.55 GHz band between commercial wireless providers and federal incumbents. Such a sharing mechanism could make up to 250 MHz of spectrum available for 5G technologies.

FCC Seeks to Refresh the Record on Remand of Open Internet Rules: The FCC seeks comments to refresh the record through a Public Notice on three issues related to the Commission's *2018 Restoring Internet Freedom Order* (a summary of the rule can be found [here](#)) – public safety, pole attachments, and the Lifeline Program. The D.C. Circuit remanded these issues back to the FCC for further proceedings in *Mozilla Corp. v. FCC* in October 2019 (a recap of that decision is [here](#)). Comments are due March 30 and reply comments are due April 29.

NIST Solicits Feedback on 5G Cybersecurity Draft Project Description: Comments are due March 31 on NIST's draft project description, *5G Cybersecurity: Preparing a Secure Evolution to 5G*. NIST states that this project will ultimately result in a NIST Cybersecurity Practice Guide, which will be publicly available and will include the practical steps for implementing a cybersecurity reference design.

Upcoming Effective Dates

FCC Adopts Z-Axis (Vertical) Location Accuracy Metric: The Fifth Report and Order goes into effect on March 16. The Order adopts a z-axis (vertical) location accuracy metric of plus or minus 3 meters for 80 percent of indoor wireless E911 calls for z-axis capable handsets. The Commission requires nationwide commercial mobile radio service (CMRS) providers to deploy dispatchable location or z-axis technology that meets this metric in the top 25 markets by April 3, 2021 and in the top 50 markets by April 3, 2023. The Commission also extends privacy protections to z-axis data conveyed with 911 calls.

FCC Closes Lockbox Used to File Fees for Services Provided by the Office of Engineering and Technology: The Order closes P.O. Box 979095 effective March 3. The Order amends 47 CFR § 1.1103, which sets forth the application fees for services administered by the FCC's Office of Engineering and Technology (OET). The rule amendment reflects the closure of the lockbox (P.O. Box 979095) used for manual payment of filing fees for four types of OET services: experimental radio services; assignment of grantee codes; advance approval of subscription TV systems; and certification of equipment approval services. U.S. Bank will continue to process payments to P.O. Box 979095 until March 3, after which payment for these OET services must be made in accordance with the procedures set forth on the Commission's website.

Upcoming Meetings and Events

5G Technology Session at SXSW: Christopher Krebs, Director of the Cybersecurity and Infrastructure Security Agency (CISA), is presenting a session about the security of 5G on March 17 at the SXSW Conference in Austin, TX. More information is available [here](#).

Communications Security, Reliability, and Interoperability Council Meeting: The FCC's CSRIC will meet on March 17. More information is available [here](#).

FirstNet Authority Combined Committee and Board Meeting: The First Responder Network Authority (FirstNet) will hold an open meeting of the Board and Board Committees on March 19 in Los Angeles, CA.

Information Security and Privacy Advisory Board: NIST's Information Security and Privacy Advisory Board (ISPAB) will meet March 25-26. Registration is not required for day one of the event but is required for day two. Registration information is available [here](#). An agenda will be posted closer to the event.

Forum on 5G Virtualized Radio Access Networks: The FCC will host a forum on 5G virtualized radio access networks on March 26 at FCC Headquarters. The forum will include Commission staff as well as industry experts. More information on speakers will be available closer to the event.

FCC Open Meeting: The next FCC Open Meeting is scheduled for March 31. When available, the meeting agenda will be posted [here](#).

TAC Meeting: On March 24, the Technological Advisory Council (TAC) will meet to hear presentations from its four working groups: 5G/IOT/V-RAN, Future of Unlicensed Operations, Artificial Intelligence, and 5G Radio Access Network Technology. More information is available [here](#).

New Items on Circulation

The following items of interest went on circulation before the full Commission in the past month and remain pending as of publication of this Wireless Roundup.

- Rural Healthcare Support Mechanism (circulated February 18 by the Wireline Competition Bureau)

Coming Up Next...

Reply comments on the FCC's Notice of Proposed Rulemaking to split the 5.9 GHz band between Dedicated Short Range Communications systems, Cellular Vehicle to Everything, and unlicensed operations are due April 6.

The next Open Commission Meeting is scheduled for April 23. The meeting agenda, once posted, will be available [here](#).

Did You Know?

5G and Government: A Regulatory Roadmap Series: Download the Primer and listen to the latest podcast episodes [here](#).

- 5G and Government Money
- 5G Spectrum Priorities for 2020
- Device Regulation in a 5G World

March 3: Partner Anna Gomez will speak on the "Elevate Your Business - Understanding the Why and How of Unmanned Systems in Engineering and Construction Firms" webinar for AUVSI and C+S Engineer Media. Learn more [here](#).

March 10: Associate Jodi Goldberg will speak on a "Women in Space Law" panel at Harvard Law School. More details [here](#).

March 11: Partner Jen Hindin will moderate the "Smallsat Regulations and Licensing Rules: What's Fair? What's Appropriate?" panel at SATELLITE 2020 in Washington, DC. Learn more [here](#).

March 18: Professor and Author Laura DeNardis will talk with Amb. David Gross about her book "The Internet in Everything: Freedom and Security in a World with No Off Switch" at Wiley. Learn more and RSVP [here](#).

March 24-25: Amb. David Gross will speak at the International Institute of Communications Telecommunications & Media Forum in Brussels. Learn more here.

March 30: Partner Anna Gomez will moderate the “Getting Your City Ready to be Smart and Safe: Understanding 5G, Edge Computing, Smart X and Fiber” panel at the Internet Wireless Communications Expo (IWCE) 2020 Connecting Critical Communications in Las Vegas, NV. Learn more here.

March 31: Partner Josh Turner will speak on “Drone Use in the Telecommunications Industry: Shaping Policy at All Levels and Paving a Favorable Regulatory Path Forward” panel at the Internet Wireless Communications Expo (IWCE) 2020 Connecting Critical Communications in Las Vegas, NV. Learn more here.

Recent Wiley Client Alerts, IoT Blog Articles, and Podcasts

California AG Modifies Draft CCPA Regulations – What Do They Mean for Compliance?

NIST Releases Final Privacy Framework

Eleventh Circuit Joins Majority of Courts in Striking Down Expansive Interpretation of the Telephone Consumer Protection Act

FCC Releases Draft 3.5 GHz Auction Procedures

5G Spectrum Priorities for 2020, featuring Kara Graves, Assistant Vice President, Regulatory Affairs, CTIA and Wiley attorneys Katy Milner Ross and Meredith Singer

The Pallone-Thune TRACED Act (and robocalls), Explained

A Big Week in AI and Tech Policy in Europe – What We’re Watching

5G and Government Money

Understanding the Latest EU Initiatives on AI and Data Policy – A Discussion with Peter Fatelnig

Privacy in Focus (February 2020)

***Roundup Disclaimer:** Information in the Wireless Roundup is current as of February 25, 2020. This document is for informational purposes only and does not intend to be a comprehensive review of all proceedings and deadlines. Deadlines and dates are subject to change. Please contact your relevant Wiley attorney for further information on the content of this document.