

Communications Daily

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A service of WARREN COMMUNICATIONS NEWS

FRIDAY, MARCH 13, 2020

VOL. 40, NO. 50

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Broadcasters have fixed studio-to-transmitter links and mobile operations in 6 GHz, said Patrick McFadden, NAB associate general counsel-legal and regulatory affairs. The fixed links are less of a challenge than mobile news-gathering, including camera-back transmitters and news trucks, he said. “We’re a little bit concerned about how those kinds of operations can be protected,” he said. Frequency coordination is difficult “because we don’t always know where news is going to break,” McFadden said. Broadcasters also have concerns about very low-power operations, especially because some news-gathering takes place indoors and “we’re not 100 percent convinced that indoor operations can be kept indoors,” he said.

NAB views 1,200 MHz “as an awful lot of spectrum,” McFadden said. The FCC could make hundreds of megahertz available now while delaying action on part of the band to allow time for additional study, he said. NAB like CTIA supports making the lower 500 MHz available, while seeking additional comment on the rest, he said. NAB hasn’t taken a position on licensing part of the spectrum. Broadcasters and others spent years trying to figure out how to make 280 MHz of C band available for 5G “and now we’re talking about giving away access to 1,200 MHz ... to some of the wealthiest companies in the world.”

Clint Odom, National Urban League senior vice president-policy and advocacy, said no one should forget, regardless of whether licensed or unlicensed, people have to pay for broadband. “This is a brave new world that we’re entering into,” Odom said. “The abstractions of whether we use 1,200 MHz or something less ... is really not something that communities of color and people who are having trouble affording broadband are really focused on,” he said: “They’re really focused on who can get a solution to me fastest and who provide a solution that’s affordable.”

Oberhausen said some estimates are that selling 600 MHz in the 6 GHz band would bring in more than \$22 billion, and relocating incumbents would cost about \$3 billion. Congress could use that money to fund rural build out and upgrading 911 networks. “Those opportunities would be lost if the full 6 GHz band were given away for free now,” she said.

CTIA members are anxiously awaiting the December C-band auction, Oberhausen said. Carriers don’t have any 3-7 GHz spectrum available now, she said. “What we’re seeing in the rest of the world is that by end of 2020 Japan will have 800 MHz of mid-band spectrum” available, while South Korea has 280 MHz and China 460, she said: “Those countries aren’t sitting still.” — *Howard Buskirk*

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Don’t ‘Bet... on Anything’

Fate of Data Protection, Privacy Shield in UK Uncertain After Brexit

The status of existing data protection rules and Privacy Shield in Britain is unclear following the nation’s Jan. 31 departure from the EU, privacy attorneys told us. The two sides are in a transition period until Dec. 31 to allow them to negotiate a new relationship. During that time, the EU general data protection regulation will apply in the U.K., and companies won’t need to take immediate action, a U.K. Information Commissioner’s Office (ICO) [FAQ](#) says. It’s anyone’s guess how the talks will pan out and what they will mean for data protection rules between the U.K. and EU or the U.K. and the U.S., lawyers said.

“If the negotiations do not deliver and there is no agreement, the UK will become a third country,” Linklaters (Brussels) data protection attorney Tanguy Van Overstraeten emailed us last month.

Whether U.K. data protection law will be recognized as adequate to allow transfers depends on the outcome of a review by the European Commission and other bodies. That process is supposed to take place during the transitional period, “but there is no guarantee that this will be completed on time” or that the decision will be positive, he said. Issues could arise about some U.K. laws on state surveillance or immigration exemptions, as well as because data protection will no longer be a right safeguarded by the EU Charter of Fundamental Rights.

Unless the U.K. data protection level takes a “sudden and unexpected plunge,” which is unlikely, there should be nothing standing in the way of an EU adequacy decision, emailed Morrison & Foerster (Brussels) privacy attorney Alja Poler De Zwart last week. The only question is when the EU will find the U.K. adequate, she said: It’s hoped that will happen by year’s end, but “I would not bet my money on anything right now.”

Privacy Shield’s fate depends on the U.K.’s future relationship with the U.S., Van Overstraeten said. The mechanism may no longer be required, but that could affect the adequacy of U.K. law because “the EU may worry about a less stringent UK-US regime that would enable less robust EU-US data transfers to occur through the UK.”

Little might change for PS, though U.S. organizations relying on it to receive personal data from the U.K. probably should update their certifications, said Poler De Zwart. Commerce Department FAQs [note](#) participants seeking to receive personal data from the U.K. will have to update their public commitments to refer to the U.K. specifically, she said.

One key change will be to the ICO’s role, [said](#) a Jan. 31 Covington & Burling client alert. The law firm noted the U.K. will lose its status as a full member of the European Data Protection Board and, once the transition ends, its “role as a lead authority will come to an end.” — *Dugie Standeford*

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1,500 Confirmed US Cases

Even After NAB Pulls Plug on Vegas, Coronavirus Continues Causing Major Upheaval

A day after NAB canceled its April show at the Las Vegas Convention Center (see [2003110036](#)), the coronavirus continued turning life upside down Thursday for many in various business and public sectors. In excess of 1,500 U.S. cases of COVID-19 were confirmed through Thursday afternoon, including 39 deaths. The spread was on pace to surpass 2,000 confirmed U.S. cases by the start of the weekend.

Several agencies told employees to work from home, and the FCC imposed strict new visitor restrictions for the “foreseeable future” (see [2003120063](#)). Here are several of the coronavirus-induced restrictions, disruptions and developments that became known Thursday:

- Various groups asked for a delay in comment deadlines in the FCC’s net neutrality refresh, due April 29 in docket 17-108. Industry officials told us the early read is the FCC isn’t likely to grant delays at this point. The FCC didn’t comment. “There is an especially critical need for an extension to enable state, county and municipal governments to be able to respond adequately to the Commission’s questions relating to the overwhelmingly important issue of how the Commission’s reclassification