BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of	)	
Revision of Section 87.305(a) of the Commission's Rules	)	RM-_____

PETITION FOR RULEMAKING

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EXECUTIVE SUMMARY

This Petition for Rulemaking urges the Commission to modify Section 87.305(a) of its rules to remove the role of "frequency advisory committee" for non-federal Aeronautical Mobile Telemetry ("AMT") operations, an inefficient and unnecessary coordination mechanism that is increasingly at odds with key Administration and Commission priorities. Specifically, the Commercial Space Federation ("CSF") requests that the Commission (1) remove the requirement that non-federal operators utilize a "frequency advisory committee" to coordinate non-federal operations and (2) instead adopt a fast, efficient coordination and sharing methodology that better reflects the needs and capabilities of all users in and adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. As the premier trade association representing the American commercial space industry, the CSF has a strong interest to ensure streamlined spectrum policies are in place to enable American superiority in space. Superiority in space begins with quick and reliable access in shared spectrum bands for launch and re-entry, and the current requirements for these bands necessitate an overdue update to align with modern technology advancements and spectrum sharing practices. We respectfully ask that the Commission act swiftly on these requests as the Aerospace and Flight Test Radio Coordinating Council, Inc. ("AFTRCC") is increasingly clinging to 1960s-era coordination policies that threaten space launches, associated re-entries, and risk delay to services like satellite broadband and direct-to-device connectivity for American consumers, industry, and first responders.

While designating AFTRCC as a frequency advisory committee may have been appropriate when it was created a half-century ago in 1969, both the American space industry and wireless technology have gone through multiple generations of improvements since then. Developments in spectrum sharing and coordination techniques over the intervening decades

now allow the Commission to move past the outdated regulatory mandates that force a budding industry of current spectrum operators and new entrants to funnel through AFTRCC—or indeed, any "frequency advisory committee"—and recognize that these forms of archaic bureaucratic committees are no longer necessary or optimal. AFTRCC's antiquated coordination process duplicates coordination efforts for both non-federal and federal users, creating a burdensome review cycle plagued by delays and bias in coordination approvals, particularly to advantage AFTRCC's legacy members.

Worse, AFTRCC has demonstrated a tendency to act more as a policy advocate for legacy operators whose mission is to slow new entrants and impact the everyday American consumers they serve, rather than be an objective third party acting on the Commission's behalf and modernizing its procedures. AFTRCC's inefficient and biased process thwarts all spectrum users—including aeronautical, launch and re-entry, and federal users—and the respective end-users they serve from efficiently coordinating and deconflicting their operations. From 21-day delays if a mission cannot achieve a launch in 7 days to requiring military range approvals of said 7-day date ranges at 21 days out from a launch, AFTRCC is simply not in tune with launch industry or the coordination protocols that enable it. These two examples simply offer zero surety for an individual launch, let alone an expanding national manifest, as launch dates slide significantly between L-21 days and T-0 and military range approvals typically only are received in less than 10 days away from a launch. The AFTRCC process cannot keep pace with best practices and technological advancements that accelerate the coordination review process and reduce delays for non-federal operators in these bands over which AFTRCC wields its gatekeeping role.

The Commission should swiftly eliminate the bureaucratic frequency advisory committee role in Part 87 and replace it with an efficient coordination mechanism that enables mutual direct coordination and deconfliction between non-federal operators. For example, the Commission should revise its Part 87 framework and establish a coordination mechanism modeled after the successful light-licensing mechanism in the 70/80/90 GHz band, which combines a nationwide non-exclusive license with a straightforward, database-assisted coordination mechanism. This update would align with Congress' directive in the LCA by ensuring a more streamlined coordination process and comport with the Commission's successful history of leveraging such approaches in the 70/80/90 GHz and other bands. Such a framework not only provides a straightforward means of coordination that eliminates the inefficiency and bias of the current frequency advisory committee approach, but it also establishes a foundation for more effective, efficient, and scalable sharing over time to keep pace with increasing commercial and federal operations in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.

The accelerated coordination timelines from this approach will allow modernized, fast-moving operators to coordinate closer to their needed operations but also will maintain the option of long-term scheduling for operators in those bands that have scheduling requirements months away. The Commission's pursuit of such a coordination framework will protect the incumbent flight testing of aircraft, missiles, and major components thereof to enhance America's defense capabilities. Simultaneously, this approach will provide the flexibility launch operators and new entrants need to launch satellites that provide constantly expanding services to everyday American consumers.

This rulemaking request comes at a time when accelerating access to and removing unnecessary regulatory constraints from commercial space operations and the space economy are

top priorities for the Administration and the American consumers the industry serves.[1] The quality and availability of constantly expanding services such as satellite broadband and direct-to-device for Americans rely on access to American launch providers, which will be at risk of constant delays by inconsistent and restrictive coordination in the spectrum band these critical operators rely on. The Commission can achieve these priorities by removing wasteful middlemen like AFTRCC and procedures, thereby enabling direct coordination between spectrum users in heavily used spectrum bands, ensuring efficient use of spectrum.

Eliminating AFTRCC as an unnecessary go-between will allow the Commission to adopt the most efficient methods for coordinating frequencies and protecting key operations that serve the public interest, while also advancing the space launch spectrum licensing and coordination priorities of the Administration and Congress[2]. The Commission should upgrade the coordination process to leverage available technology to meet consumer demands and eliminate reliance on last century's "advisory committee." A solution is proposed, one where the frequency advisory committee is replaced with an independent and streamlined coordination database built upon a successful framework, with the appropriate guardrails in place, ultimately becoming a quick tool for self-coordination among spectrum users in these shared spectrum bands. Through coding advancements and escalatory pathways to the Commission, such a system would enable short-term scheduling needs of agile spectrum users while providing long-term scheduling capability for those that require it. A modern framework would better reflect the

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[1] *See, e.g.*, *Executive Order 14335 of August 13, 2025, Enabling Competition in the Commercial Space Industry*, 90 Fed. Reg. 40219 (Aug. 19, 2025); Launch Communications Act, Pub. L. No. 118–85, 138 Stat. 1546, § 2(b) (Sept. 26, 2024); *Remarks of FCC Chairman Brendan Carr, Sioux Falls, South Dakota, "A Build Agenda for America"*, (Jul. 2, 2025) (*Chairman Carr's Build Agenda*), https://docs.fcc.gov/public/attachments/DOC-412663A1.pdf; *In re: Delete, Delete, Delete*, GN Docket No. 25-133, Public Notice, DA 25-219 (2025) (*Delete, Delete, Delete PN*).

[2] *Id.*

modern industry, facilitating coordination and deconfliction requests from non-federal entities seeking authorization for operations in these bands. Accordingly, the Commission should swiftly commence a rulemaking proceeding to update Section 87.305(a) of its rules.

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PETITION FOR RULEMAKING

Pursuant to Section 1.401 of the Commission's rules, CSF, the premier trade association representing the American commercial space industry, respectfully requests that the Commission initiate a rulemaking proceeding to modify Section 87.305(a) of the Commission's rules to (1) remove the requirement that non-federal operators use a "frequency advisory committee" to coordinate non-federal operations, including by eliminating AFTRCC as a Commission-designated frequency advisory committee; and (2) instead adopt a new coordination and sharing framework that better reflects the needs and capabilities of all users in and adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.[3][4]

CSF urges the Commission to revisit the necessity and efficacy of the half-century-old Section 87.305(a) frequency advisory committee, and to replace that committee with a modern process that will not only allow for more efficient, expeditious, and unbiased coordination but will also keep pace with increasing operations in the bands—especially as it pertains to the

[3] 47 CFR § 1.404; *see also id.* § 87.305(a). It is likely that revision of this rule will also require minor conforming revisions to other current and delayed rules as well. *See generally* 47 CFR §§ 25.253(f)(2); 26.202; 27.73(a), (d); 74.803(d)(2)-(3); 95.2509(b)(2).

[4] CSF member Virgin Galactic abstains from this petition.

national priorities of increasing commercial launch cadence and meeting the growing demand from American consumers for next-generation space-based services.[5] To keep up with growing demand for space-based services and commercial launch operations, launch sites of the future need to be fully operationalized like an airport. This operationalization means multiple launches a day from multiple providers, able to launch when ready to support a variety of vehicles and missions. Federal regulators, the federal ranges, and industry partners need to work collaboratively to realize this vision, including making significant investments in scientific research on blast and acoustics, physical infrastructure, operational techniques, and modern tools that foster dynamic, safe, and high-cadence spaceports in the United States.

Revising the Commission's rules to replace AFTRCC as an unnecessary middleman and replace it with modern sharing techniques will ensure that non-federal AMT operations are adequately protected without arbitrarily and unnecessarily limiting the other essential services that Congress and the Commission have authorized in the 1435–1535 MHz ("L-band"), 2360–2395 MHz ("Upper S-band"), and 5091–5150 MHz bands. The Commission should eliminate the frequency advisory committee role that was implemented over fifty years ago and instead implement a framework that permits efficient, bilateral coordination among non-federal operators similar to the Commission's 70/80/90 GHz link registration framework. These changes would advance the directives of the Administration, Congress, and the Commission to root out outdated, inefficient, and burdensome rules and processes to ensure that the United States maintains its lead in space and spectrum innovation.

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[5] *See e.g.*, Letter from Jameson Dempsey, Director, Satellite Policy, Space Exploration Technologies Corp., to Marlene H. Dortch, Secretary, FCC, WT Docket No. 24-687, at 1 (filed Feb. 18, 2025) (SpaceX Feb. 18, 2025 *Ex Parte*); *see also* Comments of Virgin Galactic, WT Docket No. 24-687 (rec. Jan. 22, 2025).

BACKGROUND

In 1969, the Commission designated AFTRCC, which is comprised of the legacy defense prime contractors, as the Part 87 frequency advisory committee for non-federal flight test telemetry station assignments in the 1435–1535 MHz band,[6] and subsequently extended its authority to coordinate the 2360–2395 MHz and 5091–5150 MHz bands.[7] According to AFTRCC, its primary mission as coordinator for AMT licensees is not to advance American interests in space or to ensure better services for the American people, but only the narrow objective of ensuring that aeronautical flight test operations can be conducted without any material risk of harmful interference from either similar uses or other sources.[8]

Section 87.305(a) of the Commission's rules requires that, prior to submission of an application to the Commission that involves "flight test frequencies," AFTRCC must coordinate all frequency requests with applicable U.S. Government Area Frequency Coordinators ("AFCs")

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[6] *See* 47 CFR § 87.305(a); *see also Amendment of Part 87 of the Commission's Rules to Make Provision for the Establishment of an Indus. Frequency Advisory Comm. For Coordination of Frequencies in the 1435–1535 MC/S Band*, Docket No. 18234, Report and Order, 15 FCC 2d 831 (1969) (*1969 Part 87 R&O*); *Amendment of Part 87 of the Commission's Rules to Make Provision for the Establishment of an Indus. Frequency Advisory Comm. For Coordination of Frequencies in the 1435–1535 MC/S Band*, Docket No. 18234, Notice of Proposed Rulemaking, FCC 68-892 (1968) (*1968 Part 87 NPRM*). The Commission, in seeking comment on AFTRCC's petition for rulemaking to amend Part 87, noted that it saw "[t]he value of such committees to an applicant and the Commission" and that this type of operation has been successful in other radio services, including in the then-Part 91 Industrial Radio Services. *1968 Part 87 NPRM*, FCC 68-892, paras. 3-4.

[7] *See* 47 CFR § 87.305(a); *see also Aeronautical Flight Test Telemetering Operations*, Docket No. 84-186, Report and Order, FCC 84-446, para. 23 (1984) (*1984 Part 87 R&O*) (amending part 87 rules governing flight test telemetry stations by requiring coordination of frequency assignment requests with the responsible Government Area Frequency Coordinator); *Amendment of Parts 1, 2, 15, 25, 27, 74, 78, 80, 87, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC-07), Other Allocation Issues, and Related Rule Updates, et al.*, ET Docket No. 12-338, et al., Report and Order, Order, and Notice of Proposed Rulemaking, 30 FCC Rcd 4183, 4214, para. 74 (2015) ("As a consequence of our actions in this proceeding, and at its explicit request, we note that AFTRCC's authority to act as the non-Federal coordinator for flight test frequencies now extends to the 1435-1525 MHz, 2360-2395 MHz, and 5091-5150 MHz bands, and until the conclusion of the transition period, to the 2345-2360 MHz band.").

[8] Comments of the Aerospace and Flight Test Radio Coordinating Council, Inc., WT Docket No. 24-687, at 3 (rec. Jan. 23, 2025) (AFTRCC Comments to DA 24-1230).

and provide recommendations regarding operating parameters, including comments on the frequencies requested and the probable interference to flight test stations, and recommendations on which frequencies will result in minimum interference.[9] The process by which these recommendations and underlying coordination are produced follows a manual, arduous, and non-streamlined framework, having developed over the years through an opaque web of written statements, comments, and restrictions unilaterally implemented by AFTRCC. Under Part 87 rules, AFTRCC is required to consider all non-federal AMT stations operating on the frequencies requested or assigned within 320 kilometers (200 miles) of the proposed area of operation and all prior coordination and assignments on the proposed frequencies.[10] Once the application is submitted to the Commission, the request is then also submitted to NTIA for coordination with federal operators, pursuant to the FCC's and NTIA's Memorandum of Understanding.[11] Critically, all of these operations can now be automated much more efficiently than the onerous manual process that AFRTCC continues to cling to on behalf of its legacy members.

As it specifically pertains to space launch and reentry coordination, AFTRCC has stated that it "works in close collaboration toward this end with Government AFCs, who themselves coordinate proposed space launch and reentry activity with Federal operations."[12] In terms of the process, AFTRCC stated that it generally receives and reviews the requests for coordination first

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[9] 47 CFR § 87.305(a). *See generally Wireless Telecommunications Bureau Seeks Comment on Licensing and Coordination Procedures for the Space Launch Service*, ET Docket No. 13-115, Public Notice, 39 FCC Rcd 13282, 13292 (WTB 2024) (*Space Launch Licensing Comment PN*).

[10] 47 CFR § 87.305(a)(1).

[11] *Allocation of Spectrum for Non-Federal Space Launch Operations*, ET Docket No. 13-115, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 7764, 7803-04, para. 102 (2021).

[12] AFTRCC Comments to DA 24-1230 at 4.

and then reaches out to the relevant AFC for consent to the request.[13] AFTRCC stated that, "on occasion, because of its experience coordinating with the AFCs, AFTRCC is able, during its initial review, to suggest modifications to requests that launch operators submit, thereby improving their chances of securing affirmative coordination from the Government."[14] As set out in the Commission's rules, AFTRCC, following its review of a commercial space launch coordination request, typically forwards the coordination requests to "the responsible Government Area Frequency Coordinators listed in the NTIA 'Manual of Regulations and Procedures for Federal Radio Frequency Management.'"[15]

DISCUSSION

Since its designation as the Part 87 frequency advisory committee in 1969, AFTRCC has transitioned from its original role, which required it to manually coordinate and maintain frequency assignments, to a role where it monopolizes access to spectrum and stifles efficient use, new entry, and innovation. AFTRCC's decades-long status as sole gatekeeper is stifling efficient use of the spectrum, erecting unjustified barriers to entry, and impeding innovation and competition. AFTRCC has taken a left turn and begun to introduce obstacles that exemplify an antiquated, sclerotic process that is directly at odds with Congress' and the Commission's goals.[16] Indeed, AFTRCC has increasingly added conservatively lengthy coordination timelines and

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[13] *Id.*

[14] *Id.*

[15] *Id.* at 5; *see also* 47 CFR § 87.305(a)(1).

[16] *Wireless Telecommunications Bureau Announces Licensing and Coordination Procedures for the Space Launch Service*, ET Docket No. 13-115, Public Notice, DA 25-270 (2025). *See generally* Requests for Clarification or, in the Alternative, Petition for Partial Reconsideration of the Aerospace and Flight Test Radio Coordinating Council, Inc., ET Docket No. 13-115, at 7-19 (rec. Apr. 8, 2025) (AFTRCC Petition for Reconsideration); *see also* 47 CFR § 87.305(a)(1) ("The committee must consider all stations operating on the frequencies requested or assigned within 320 km (200 mi) of the proposed area of operation and all prior coordinations and assignments on the proposed frequency(ies).").

additional documentation requirements. A prime example of this is the requirement for space launch operators to provide AFTRCC with **proof of range approval at L-21 days, *which is regularly received less than 10 days before launch, and occasionally received by space launch operators as late as one day prior to launch***.[17]

AFTRCC's introduction of these policies and requirements is a misuse of its role as a coordinator and effectively made it impossible for a space launch operator to gain access to the spectrum. As the demand for spectrum in these bands continues to grow, AFTRCC appears to be similarly growing its role as gatekeeper to protect its legacy prime members from competition to ensure that it advances its central mission to protect and preserve non-federal AMT access at the expense of all other users in and adjacent to the bands.[18]

This Petition for Rulemaking sets the stage for the Commission to advance its agency-wide modernization efforts and heed the call of Congress and the Administration to prioritize American space leadership by removing the frequency advisory committee role and replacing it with a more modern, efficient, and unbiased coordination framework. Space launch operators in the United States launched approximately 182 rockets to orbit in 2025 and have launched

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[17] Aerospace and Flight Test Radio Coordinating Council, *Space Coordination Policy*, ("AFTRCC Space Coordination Policy"), https://cdn.prod.website-files.com/6a0e03fe10ba58aad7503458/6a3570ec1e1c5a2daf6347d6_Space%20Coordination%20Policy.pdf

[18] AFTRCC's member companies include Bombardier, Bell Helicopter Textron, Gulfstream Aerospace Corporation, Textron Aviation, The Boeing Company Defense and Space, L3 Harris Technologies, Inc., Lockheed Martin Corporation Aeronautics Company, Raytheon Technologies Corporation, Northrop Grumman Aerospace Systems, Aerostar, and Joby Aviation. Notably, AFTRCC is also playing the role of gatekeeper to protect its legacy prime members in other Commission proceedings as well, including in the Drone Dominance proceeding, which is a key Administration and Commission initiative. *See e.g.*, Comments of the Aerospace and Flight Test Radio Coordinating Council, Inc., GN Docket No. 26-74, et al. (rec. May 1, 2026) ("AFTRCC Drone Dominance Comments"); *see also* Letter from Kara R. Curtis, President, Aerospace and Flight Test Radio Coordinating Council, Inc., to Marlene H. Dortch, Secretary, FCC, SB Docket No. 26-54 (rec. Mar. 19, 2026).

approximately 101 rockets from U.S. soil to orbit in 2026,[19] to date, which means that launch operators must regularly coordinate operations with other spectrum users. The members of CSF have a strong interest in ensuring that any Part 87 frequency coordination framework aligns with and improves upon the existing spectrum coordination processes that launch service providers and other spectrum users in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands have refined over years of experience. Revising Section 87.305(a) will increase innovation in the United States by implementing a coordination framework that can keep pace with increasing launch cadence and growing demand from American consumers for next-generation space-based services.

AFTRCC itself said it best when it stated that "[p]rocesses should explore whether alternative spectrum resources or technologies exist that could be practically implemented in current or other candidate allocations to meet the interests of proponents of introducing new uses, taking into account potential cost, disruption, and compromises to the performance of existing uses."[20] The Commission should do just that. Specifically, the Commission should initiate a proceeding to consider implementing the Part 87 coordination framework proposed below as this more modern approach can and will facilitate a more straightforward, streamlined, and flexible coordination framework for those seeking authorization to operate in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. In so doing, the Commission should take a hard look at the effectiveness and necessity of Section 87.305(a) and consider whether there are

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[19] Federal Aviation Administration Office of Commercial Space Transportation, Commercial Space Data Calendar Year 2026, https://www.faa.gov/data_research/commercial_space_data (accessed August 3, 2026).

[20] *In the Matter of Implementation of the National Spectrum Strategy*, Comments of Aerospace and Flight Test Radio Coordinating Council, Inc., at 4 (filed Jan. 9, 2024), https://www.ntia.gov/sites/default/files/aftrcc-written-input.pdf.

other coordination processes—such as coordination by direct, mutual agreement that takes advantage of an automated database similar to the 70/80/90 GHz framework—that could be practically implemented in a manner that meets the interests of new users and propels innovation while continuing to protect important, existing AMT uses.

I. THE PART 87 FREQUENCY ADVISORY COMMITTEE IS NO LONGER NECESSARY TO ENSURE MAXIMUM FREQUENCY COORDINATION EFFECTIVENESS

Over 50 years ago, the Commission created the Part 87 rules requiring non-federal AMT operators to coordinate with a frequency advisory committee prior to receiving authorization to operate in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.[21] In so doing, the Commission noted that it saw "[t]he value of such committees to an applicant and the Commission" and that this type of operation had been successful in other radio services, including in the then-Part 91 Industrial Radio Services.[22] In implementing a frequency coordinator role, the Commission also considered AFTRCC's position "that . . . only through a Commission recognized coordinator can a single contact point in each area exist where assignment records are maintained and where all local area users can schedule operations when absolute interference free communications are essential for mission accomplishment as well as safety of life and property."[23] Ultimately, the Commission found that implementing a frequency advisory committee and designating AFTRCC to fill that role "should assure, to the extent possible, maximum frequency coordination effectiveness."[24]

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[21] *See supra* notes 6-7.

[22] *1968 Part 87 NPRM*, FCC 68-892, paras. 3-4.

[23] *1969 Part 87 R&O*, 15 FCC 2d at 832, para. 6.

[24] *Id.* at 833, para. 10.

Today, however, the Part 87 frequency advisory committee can neither fulfill the purpose of the role delegated to it by the Commission in the *1969 Part 87 R&O* nor can it meet its frequency coordination responsibilities at a cadence that keeps up with increased and advanced uses in and adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. AFTRCC may have served a role a half-century ago when coordination still required pencil-and-protractor review of coordination requests that were primarily sent and received by physical mail. But due to technological advancements, the days of requiring a central committee to manually coordinate and maintain frequency assignments have long since passed—and have effectively rendered AFTRCC's remaining responsibility an expensive and unnecessary email forwarding service. Moreover, AFTRCC's antiquated coordination process duplicates coordination efforts for both non-federal and federal AMT operations, creating a burdensome review cycle plagued by delays, and leads to bias in coordination approvals and spectrum deconfliction that impacts efficiency and limits the operational ability of operators that seek authorization to operate in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.

Indeed, AFTRCC admits that "[r]equests for coordination are generally directed to AFTRCC first, and" then AFTRCC "reaches out to the AFCs for their consent to the request, once AFTRCC finishes its review."[25] AFTRCC, in performing its more administrative rather than advisory role, also actively recognizes that it only "on occasion . . . is able, during its initial review, to suggest modifications to requests that launch operators submit, thereby improving

[25] Comments of the Aerospace and Flight Test Radio Coordinating Council, Inc., ET Docket No. 13-115, at 4 (rec. Jan. 23, 2025) (AFTRCC Comments to DA 24-1232); *id.* at 6, n.12 (citing 47 CFR § 87.305(a)(1)) ("As set out in the Commission's rules, AFTRCC, following its review of a commercial space launch coordination request, typically forwards the coordination requests to 'the responsible Government Area Frequency Coordinators listed in the NTIA 'Manual of Regulations and Procedures for Federal Radio Frequency Management.'").

their chances of securing affirmative coordination from the Government."[26] In the vast majority of circumstances when AFTRCC is unable to provide any meaningful input, the slow and unnecessary AFTRCC process generally takes a few weeks to complete a coordination request and costs around $480 to $680 per multi-launch STA request lasting six months—a cost that AFTRCC has now tripled to approximately $1700 per 7-days of launch coordination. And as discussed in more detail below, AFTRCC's coordination procedures are only going to become more inefficient and time-consuming as it adds more unnecessary steps into an already inefficient process.

The Part 87 frequency advisory committee is no longer necessary to coordinate non-federal operations in the Bands in the most efficient manner—and has never truly been necessary as a middleman between non-federal entities, such as space launch operators, and AFCs. This is especially true because, pursuant to the NTIA Redbook, requests for uses of AMT frequencies are required to be "***coordinated by the applicant with the appropriate AFC***," who along with the NTIA for federal operations and the Commission for non-federal operations, is the appropriate authorization authority.[27] The Commission established Section 87.305(a) under the assumption that the committee would "make the best frequency recommendation,"[28] but that assumption no longer holds. AFTRCC does not make frequency recommendations, and its antiquated processes and inherent bias raise fundamental questions about its ability to make the best recommendations to facilitate coexistence. Accordingly, the Commission should initiate a rulemaking to reevaluate

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[26] AFTRCC Comments to DA 24-1232 at 5-6.

[27] NTIA Redbook Section 8.3.17(3)(a) ("All proposed frequency assignment actions shall be coordinated by the applicant with the appropriate AFC listed in Annex D, Table 3 and Figure 3. The procedures for coordination will be those mutually agreeable to the AFC and applicant concerned.") (emphasis added).

[28] *1969 Part 87 R&O*, 15 FCC 2d at 832, paras. 5-6.

the necessity of the Part 87 frequency advisory committee and replace the frequency advisory committee with a process that can more effectively meet the current and future frequency coordination needs in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.

II. THE CURRENT PART 87 FREQUENCY ADVISORY COMMITTEE IS INEFFICIENT, BIASED, AND STANDING IN THE WAY OF INNOVATION

While "enlightened frequency recommendations help to ensure that the Commission optimizes the use of the available spectrum for the benefit of all members of the public,"[29] inefficient and biased frequency coordination recommendations can thwart innovation at the expense of competition, deployment, and achievement of critical national priorities. Inefficient coordination requirements not only undermine Commission's statutory mandate to regulate spectrum management policies, but also conflict with Congressional mandates requiring intensive and efficient use of spectrum.[30] With these statutory mandates and policies in mind, the Commission should relieve the Part 87 frequency advisory committee of its role.

(a) THE PART 87 FREQUENCY ADVISORY COMMITTEE USES AN ANTIQUATED AND INEFFICIENT COORDINATION PROCESS THAT ADDS UNNECESSARY COST AND COMPLEXITY TO FREQUENCY ASSIGNMENTS

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[29] *See Frequency Coordination in the Private Land Mobile Radio Services*, PR Docket No. 83-737, Report and Order, FCC 86-143, para. 2 (1986) (*1986 PLMRS R&O*).

[30] *See e.g.*, 47 U.S.C. § 151; *id.* § 303(c) ("Assign bands of frequencies to the various classes of stations, and assign frequencies for each individual station and determine the power which each station shall use and the time during which it may operate"), (f) ("Make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations and to carry out the provisions of this chapter"); Launch Communications Act, Pub. L. No. 118-85, 138 Stat. 1546 § 2(b) ("LCA") ("the Commission shall issue new regulations to streamline the process for granting authorizations for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries so as to provide for . . . improved coordination by the Commission with the Assistant Secretary (who shall coordinate with the head of any other Federal agency, as the Assistant Secretary considers appropriate) to increase the speed of review of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries . . ."); *see also 1986 PLMRS R&O*, FCC 86-143, para. 2.

The Part 87 frequency advisory committee's responsibility is to perform coordination for the non-federal AMT operators and the AFC's responsibility is to perform coordination for the federal AMT operators.[31] Today, however, the Part 87 frequency advisory committee has taken it upon itself to act as the coordinator for both non-federal and federal AMT operations. AFTRCC, under the guise of "generat[ing] clear efficiencies," states that "AFTRCC often takes a first look at a coordination request and is able to make suggestions for the space launch operator to consider improving the chances for a successful coordination not only by AFTRCC, but also by the relevant AFCs because of AFTRCC's familiarity with the AFCs' expectations and requirements."[32] No reasonable spectrum user could view this as an efficient means of conducting coordination when AFTRCC is essentially duplicating and lengthening the review process that will likewise be conducted by the relevant AFC.

AFTRCC does not have the technical capability to operate as modern frequency coordinator. As an initial matter, AFTRCC admits it does not have the expertise required to understand the specific needs of all of the operators in the bands when it noted that the Commission previously "overstate[d] the degree of experience the industry has with coexistence between commercial space launch and reentry activity and flight testing in support of the design, development, production, delivery, and sustainment of military and commercial aircraft."[33] As a consequence, AFTRCC functionally serves as an expensive email forwarding service rather than a frequency coordinator recommending ways to promote sharing and coexistence. In order for all of these important services to continue to grow in a manner that ensures "mission

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[31] 47 CFR § 87.305(a); *see also* NTIA Redbook Section 8.3.17(3)(a).

[32] AFTRCC Petition for Reconsideration at 8.

[33] Requests for Clarification or, in the Alternative, Petition for Partial Reconsideration of the Aerospace and Flight Test Radio Coordinating Council, Inc., ET Docket No. 13-115, at 14 (rec. Apr. 8, 2025).

accomplishment as well as safety of life and property"[34] and to ensure that operations can be conducted without any risk of harmful interference, the Part 87 frequency advisory committee role must be removed and replaced with a process that can adequately keep up with the demand for spectrum by a wide range of operators in the most efficient and effective manner.

Indeed, while AFTRCC apparently plans to implement an "automated" system for frequency coordination, that system will serve merely as an "automated *notice* system for flight test operators to check on any near-term relevant proposed commercial space launches that may use the L-Band or Upper S-Band."[35] The lack of automation is further demonstrated by the lengthy review timeframes as well as the requirements that space launch operators send notification emails in addition to utilizing the "AFTRCC space coordination portal."[36] Additionally, AFTRCC's recently developed and bug-ridden Launch Coordination Portal is nothing but an indication that any other additional systems may take years for AFTRCC to design or build, let alone successfully implement. Notably, AFTRCC's electronic portal to receive experimental license coordination requests is likewise inefficient, which is evidenced by

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[34] *1969 Part 87 R&O*, 15 FCC 2d at 832, para. 6.

[35] AFTRCC Comments to DA 24-1232 at 28-29 ("AFTRCC submits that because flight test operators will already be on notice of the earlier coordination request for the dates in question, as well as the fact that the coordination was successful (through a planned AFTRCC database which they will be able to access) this notice that the proposed launch is still "on" will be sufficient."); Comments of the Aerospace and Flight Test Radio Coordinating Council, Inc., ET Docket No. 13-115, RM 11341, at 23 (rec. Mar. 5, 2024) (AFTRCC Mar. 5, 2024 Comments) (stating that it was "in the process of implementing an automated notice system for flight test operators to check on any near-term relevant proposed commercial space launches that may use the L-Band or Upper S-Band.").

[36] *See e.g.*, AFTRCC Space Coordination Policy at 1 ("If any technical details change triggering the need for a new heat map/impact analysis, the request must be resubmitted and the NLT 30 days resets"); *id* at 2 ("Only one launch event coordination is submitted; rescheduling is required to update future primary date(s) and back up date(s)"); *id.* ("If it is determined dates will not be needed for the space launch, the SLO is required to notify AFTRCC within 24 hours at notifications@aftrcc.org"); *id.* ("When SLO notifies the FAA of mission complete to release airspace, an email must be sent to notifications@aftrcc.org within 2 hours").

the fact that AFTRCC still has not figured out how to effectively modernize and streamline the coordination process three years after the launch of the portal.[37]

Although AFTRCC states that it plans to implement an automated database, that proposed system would not resolve the fundamental issues with AFTRCC's role as a frequency advisory committee, nor the inefficiencies and biases of AFTRCC's coordination process. As it specifically pertains to space launch operations, AFTRCC itself has stated that in order for it to attempt to fulfill its role and to meet the growing spectrum demand in the bands, "coordination with primary users in the heavily used Launch Bands may become more challenging, and robust coordination procedures will be required; success of coordination in the Launch Bands to date do not guarantee successful coordination in all future circumstances."[38] AFTRCC admitted that it does not have the expertise required to understand the specific needs of all of the operators in the bands when it noted that the Commission previously "overstate[d] the degree of experience the industry has with coexistence between commercial space launch and reentry activity and flight testing in support of the design, development, production, delivery, and sustainment of military and commercial aircraft."[39] Thus, in order for all of these important services to continue to grow in a manner that ensures "mission accomplishment as well as safety of life and property"[40] and to ensure that operations can be conducted without any risk of harmful interference, the Part 87 frequency advisory committee role must be removed and replaced with a process that can

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[37] *See generally* AFTRCC Drone Dominance Comments at 5-6.

[38] AFTRCC Comments to DA 24-1232 at ii.

[39] Requests for Clarification or, in the Alternative, Petition for Partial Reconsideration of the Aerospace and Flight Test Radio Coordinating Council, Inc., ET Docket No. 13-115, at 14 (rec. Apr. 8, 2025).

[40] *1969 Part 87 R&O*, 15 FCC 2d at 832, para. 6.

adequately keep up with the demand for spectrum by a wide range of operators in the most efficient and effective manner.

AFTRCC's preferred coordination process is ten times slower than federal agency review. AFTRCC's antiquated coordination process is needlessly lengthy and burdensome. For example, when challenging the Commission's launch spectrum rules, AFTRCC demanded space launch operators make initial requests for coordination to the Part 26 Space Launch Coordinator, once selected, ***eighty days prior to launch***.[41] AFTRCC then stated that within sixty days prior to launch, and only after additional deadlines are instituted for it to coordinate with the Part 26 Space Launch Coordinator, will it accept, review, and make a decision on the coordination request.[42] In an attempt to justify this review process timeframe, AFTRCC states that "these filing requirements are needed to allow the incumbent coordinators the opportunity to obtain inputs from the flight test operators"—which apparently requires fifteen days.[43] Once this ***initial*** coordination review process is completed, AFTRCC then requires additional coordination and notification processes before a space launch operator can be authorized to utilize the bands authorized for Part 26 Space Launch Services.[44]

Rather than promoting efficiency, AFTRCC has demonstrated that its coordination requirements maximize rather than minimize the procedural steps and manual intervention necessary to coordinate (and re-coordinate) individual launches, and that it greatly exceeds the

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[41] Letter from Kara R. Curtis, President, Aerospace & Flight Test Radio Coordinating Council, Inc., to Marlene H. Dortch, Secretary, FCC, WT Docket No. 24-687, at 1-2 (rec. Mar. 20, 2025).

[42] *Id.* at 1-2; AFTRCC Comments to DA 24-1232 at 26.

[43] AFTRCC Comments to DA 24-1232 at 26-27 ("NTIA and AFTRCC should have 15 days to respond back to the Third-Party Coordinator with their decision on the coordination request.").

[44] *Id.*; *see also* 47 CFR § 26.2.

necessary timeframes for each step in the registration and coordination process.[45] The disparity between FAA's 7 to 10-day timelines for launch coordination and AFTRCC's initially proposed 60 to 80-day timelines for launch spectrum coordination only further emphasize the inefficiency of AFTRCC's coordination process—one that cannot even keep up with the speed of government.

As AFTRCC has attempted to work towards a 21-day (date selection of 7 days, maximum) coordination policy[46], it also incorporated unnecessary steps and coordination limits, per-mission, that jeopardize launch manifests and is multiples of time slower than federal coordination of a launch (date/time notification of initial 7-days to federal agencies is provided at L-7). Any minor changes to mission or the initially identified dates inside of such an AFTRCC coordination request would require a launch to slide nearly a month with no provisions for re-coordinating inside of those time periods, even though AFTRCC has regularly proven it is possible to do.[47] AFTRCC now limits spectrum coordination to a 7-day period at L-21 days from a launch, without opportunity for a launch operator to seek additional backup days, effectively introducing significant programmatic risk to entire manifests as launches can slide significantly between L-21 days and T-0 for any variety of reasons.

AFTRCC's inefficiency as a spectrum coordinator harms a wide array of services. Just as with launch spectrum, AFTRCC has demonstrated an inability to efficiently manage

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[45] *See generally* AFTRCC Space Coordination Policy.

[46] Aerospace and Flight Test Radio Coordinating Council, *Space Coordination Policy*, https://cdn.prod.website-files.com/6a0e03fe10ba58aad7503458/6a3570ec1e1c5a2daf6347d6_Space%20Coordination%20Policy.pdf.

[47] *See* AFTRCC Space Coordination Policy at 1 ("If additional future dates are required, due to rescheduling, the rescheduling request must also be submitted NLT 21 days before the updated proposed launch date"); *id.* ("Dates coordinated for a mission in response to a prior 21-day NLT notice are returned to an uncoordinated state").

coordination between AFCs and other spectrum users. AFTRCC not only coordinates space launch operations with the relevant AFC(s), it also coordinates non-federal AMT uses with Medical Body Area Network's ("MBANs") operators, wireless microphone users, broadcasters and broadcast engineering companies, and WCS licensees.[48] For example, prior to the release of the *2012 MBAN R&O*, AFTRCC, Philips Healthcare, and GE Healthcare Technologies Inc. underwent "15 months of discussion, analyses, and negotiation" just to get to an agreement on a coordination proposal.[49] Six years later, GE Healthcare Technologies Inc. explained that it was still undergoing negotiations with AFTRCC regarding coordination mechanisms. GE Healthcare Technologies Inc. stated that "in the case of MBAN devices, developers experienced coordination and measurement procedure issues that created additional market uncertainty and delays."[50] In a similar vein, Society of Broadcast Engineers, Inc. ("SBE") noted the "problem of conflicting, preclusive incumbent users exists in the" 1435–1535 MHz band, stating that AFTRCC "cannot accommodate broadcasters on a predictive basis, and so only extremely short term coordination is available, and coordination can take days or even weeks."[51] These examples demonstrate that the Part 87 frequency advisory committee is neither necessary to nor capable of

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[48] AFTRCC Comments to DA 24-1230 at 3-4.

[49] *Amendment of the Commission's Rules to Provide Spectrum for the Operation of Medical Body Area Networks*, ET Docket No. 08-59, First Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6422, 6426, para. 7 (2012) (*2012 MBAN R&O*) ("Their *Joint Proposal* 'represent[ed] the culmination of 15 months of discussion, analyses, and negotiation among and between the named parties,' and updated the initial GEHC Proposal to set forth a comprehensive proposed set of rules to govern AMT-MBAN use.").

[50] Letter from Ari Q. Fitzgerald, Counsel to GE HealthCare Technologies Inc., to Marlene H. Dortch, Secretary, FCC, ET Docket No. 08-59, et al., at 2 (rec. Mar. 27, 2018) (citing Comments of GEHC on the FCC Office of Engineering and Technology Laboratory Division's October 15, 2015 Draft Publications Report (filed Nov. 20, 2015), available at https://apps.fcc.gov/eas/comments/GetPublishedDocument.html?id=403&tn=433449).

[51] Comments of the Society of Broadcast Engineers, Incorporated, ET Docket No. 21-115, RM-11821, at 11 (rec. Jul. 28, 2021).

efficiently and effectively meeting the spectrum coordination requirements for this wide range of services.[52]

(b) THE PART 87 FREQUENCY ADVISORY COMMITTEE CANNOT PERFORM ITS ROLE WITHOUT BIAS BECAUSE AFTRCC'S CENTRAL MISSION IS TO PROTECT AND PRESERVE NON-FEDERAL AMT ACCESS TO THE BANDS AT THE EXPENSE OF OTHER USERS

In addition to being inefficient and undermining the Commission's goals of streamlining coordination and licensing procedures, AFTRCC has begun to exhibit extreme bias when fulfilling its role as the Part 87 frequency advisory committee.[53] For example, following the Commission's release of its *Space Launch Third R&O* and subsequent *Space Launch Coordination and Licensing Public Notices*, which granted secondary access for space launch and reentry operations in the Upper S-band,[54] AFTRCC has begun to behave as a trade association of its legacy prime contractor members and can no longer be considered a neutral third-party coordinator for flight test operations.[55] As only the most recent example, AFTRCC

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[52] *See 1986 PLMRS R&O*, FCC 86-143, para. 2.

[53] AFTRCC noted that protecting and preserving the Aerospace and Defense industry's access to non-federal flight test spectrum is its central mission. AFTRCC Mar. 5, 2024 Comments at 4. Indeed, AFTRCC has promoted rules and policies that favor their own members at the expense of new entrants and innovators across a wide range of Commission proceedings. *See e.g.*, Comments of Aerospace and Flight Test Radio Coordinating Council, Inc., WT Docket No. 23-232 at 2 (rec. Oct. 3, 2023) ("AFTRCC has promoted sharing wherever possible, but that sharing cannot be at the expense of ready and reliable access to sufficient spectrum to support flight testing, even if usage is not 24/7."); Comments of Aerospace and Flight Test Radio Coordinating Council, Inc., WT Docket No. 16-290 at 2 (rec. Jun. 30, 2023) ("AFTRCC submits that TerreStar, in addition to meeting its obligation to protect in-band and adjacent band WMTS as it pursues deployment of non-WMTS services in the 1432-1435 MHz Band, must also afford protection from interference to non-Federal and Federal safety-of-life aeronautical mobile telemetry ("AMT") services in the adjacent 1435-1525 MHz Band."); Reply Comments of Aerospace and Flight Test Radio Coordinating Council, Inc., GN Docket No. 23-65; IB Docket No. 22-271 (rec. Jun. 13, 2023) ("consistent with the Commission's general proposal, any SCS operations in the 2345-2360 MHz Band should be required to coordinate with AFTRCC and protect AMT to the same extent as AMT operations in the band are today entitled to protection from WCS operations").

[54] *See* Letter from Jameson Dempsey, Director, Satellite Policy, Space Exploration Technologies Corp., to Marlene H. Dortch, Secretary, FCC, ET Docket No. 13-115, at 1-2 (Aug. 18, 2025) (SpaceX Aug. 18, 2025 *Ex Parte*).

[55] *Id.* at 1.

has abruptly and without warning foreclosed certainty of access to the Upper S-band as an option for launch spectrum deconfliction.[56]

AFTRCC recently unilaterally extended its 96-hour coordination timeframe for upper S-band coordination requests to 30 days prior to launch. As a practical matter, this change forecloses a proven option for spectrum deconfliction, since spectrum conflicts only arise in the days before launch.[57] In making this unilateral determination, AFTRCC attempted to justify its decision to foreclose the Upper S-band on the basis of "increasing cadence of launches anticipated." AFTRCC's abrupt change gets federal policy entirely backwards. An increase in launch cadence requires more flexibility and responsiveness to the needs of launch operations and their non-federal and federal customers, not less.[58]

AFTRCC's action undermines years of progress to streamline launch coordination and demonstrates AFTRCC's willingness to ignore prior agreements and coordination arrangements on a whim.[59] AFTRCC's abrupt decision directly affects the U.S. Launch Industry's operations and jeopardizes mission surety for all American commercial launch providers and the customers they serve, injecting significant uncertainty and risk at launch sites with no offsetting benefit. This act of gamesmanship also raises the question of how far AFTRCC will go to ensure that it advances its central mission to protect and preserve non-federal AMT access at the expense of other users in and adjacent to the bands.

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[56] *Id.* at 1-2.

[57] *Id.*

[58] SpaceX Aug. 18, 2025 *Ex Parte* at 1-2.

[59] *Id.* at 1 ("For instance, SpaceX and AFTRCC reached a six-month 'multi-launch' special temporary authority ('STA') coordination arrangement nearly eighteen months ago. This agreement enables SpaceX to use upper S-band as a back-up frequency for Falcon 9 missions to swiftly resolve spectrum conflicts with other federal and non-federal users in the days before launch.").

By implementing increasingly complicated coordination procedures without any reasonable merit or demonstrated impact or concern (*i.e.*, no interference or frequency conflicts have ever been identified by AFTRCC with a launch operation), AFTRCC's discriminatory actions not only contravene the LCA and the Commission's space launch spectrum policy, but also raise serious questions about AFTRCC's ability to operate as a fair and unbiased frequency advisory committee.[60] This practice is woefully inconsistent with "the principles that [the Commission has] . . . applied to coordinators since 1958," and requires the Commission to revisit Section 87.305(a) of its rules to seek comment on a new coordination process that meets its longstanding expectations of implementing frequency coordination procedures that do not allow "discriminat[ion] among users" and instead "honor all requests for coordination."[61]

(c) MAINTAINING THE CURRENT PART 87 FREQUENCY ADVISORY COMMITTEE ROLE STANDS IN THE WAY OF INNOVATION, WHICH IS AT ODDS WITH THE GOALS OF THE ADMINISTRATION, CONGRESS, AND THE FCC

As discussed above, the Part 87 frequency advisory committee bears responsibility for neutrally and efficiently coordinating non-federal AMT operations with not only federal AMT operations but also with requests for operations submitted by MBAN operators, wireless microphone users, broadcasters and broadcast engineering companies, WCS licensees, and space launch operators. In performing this role and in suggesting coordination procedures to the Commission, AFTRCC has made clear that "[p]rotecting and preserving the Aerospace and Defense industry's access to non-Federal flight test spectrum to help keep manufacturers'

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[60] *See generally* LCA §§ 1–2.

[61] *See 1986 PLMRS R&O*, FCC 86-143, para. 18 ("Such relationships must not affect the manner in which coordinators perform their services; also the treatment of all applicants must be similar and without discrimination, including charges for services rendered. Individual applicants need assurance that when coordinators provide a recommendation, it is done with total impartiality.").

schedules concerning design, development, production, and post-production modifications and upgrades on track has been and continues to be the central mission of AFTRCC."[62] AFTRCC has also made clear through its advocacy that its allegiance lies primarily with non-federal AMT operators and that it does not intend to advance, streamline, or improve its coordination procedures to facilitate access into the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. In so doing, AFTRCC not only stifles growth in AMT through inefficient and burdensome coordination procedures, but also stifles growth for all of the other operators that seek authorization to operate in or adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.

These actions, and thus the Part 87 frequency advisory committee role, stand at odds with the goals of the Administration, Congress, and the Commission to ensure that rules and regulations do not stifle investment and innovation in the United States. For example, President Trump has called on administrative agencies to unleash prosperity and ensure innovation by requiring that agencies take a hard look at regulations that "create[] a substantial restraint on our economic growth and ability to build and innovate, and hampers our global competitiveness."[63] More recently, President Trump released an Executive Order stating that it is "imperative that we build on the far-reaching actions taken by my Administration during my first term to ensure that new space-based industries, space exploration capabilities, and cutting-edge defense systems are

[62] AFTRCC Comments to DA 24-1232 at 3.

[63] *See, e.g., Executive Order 14192 of January 31, 2025, Unleashing Prosperity Through Deregulation*, 24 Fed. Reg. 9065 (Feb. 6, 2025); *see also Executive Order 14219 of February 19, 2025, Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative*, 36 Fed. Reg. 10583 (Feb. 25, 2025).

pioneered in America rather than by our adversaries."[64] The Executive Order explicitly stated that "[e]nsuring that United States operators can efficiently launch, conduct missions in space, and reenter United States airspace is critical to economic growth, national security, and accomplishing Federal space objectives."[65] It further directs that, in order to enhance "American greatness in space" we must "enable[e] a competitive launch marketplace", "substantially increase[] commercial space launch cadence and novel space activities by 2030", and "streamline commercial license and permit approvals for United States-based operators."[66]

Congress also directed the Commission to ensure efficient and streamlined access to spectrum for space launch operations, including by modernizing coordination through self-coordinated mechanisms similar to the 70/80/90 GHz framework. The Commission, in implementing certain LCA provisions, recognized that doing so would ensure reliable spectrum access for space launch operations that are crucial to ensuring that the United States remains a global leader in space and innovation.[67]

Modernizing Part 87 by eliminating the frequency advisory committee would also advance several pillars of Chairman Carr's Build America agenda. In particular, Chairman Carr noted that "speed, simplicity, security, and satellite spectrum abundance" will be the guiding principles to ensure that America continues to lead the world when it comes to space.[68] Chairman Carr further stated that "[w]e cannot allow outdated Commission rules to stifle

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[64] *Executive Order 14335 of August 13, 2025, Enabling Competition in the Commercial Space Industry*, 90 Fed. Reg. 40219 (Aug. 19, 2025).

[65] *Id.*

[66] *Id.*

[67] LCA §§ 1–2; *see also Allocation of Spectrum for Non-Federal Space Launch Operations*, ET Docket No. 13-115, Third Report and Order, 39 FCC Rcd 14065 (2024).

[68] *Chairman Carr's Build Agenda* at 5.

investment and innovation," which is "especially the case for satellite services, which are subject to slow, resource intensive, and bespoke review mechanisms."[69] Initiating a proceeding to modernize Section 87.305(a) would advance Chairman Carr's goals in the *In re: Delete, Delete, Delete* proceeding by ensuring the elimination of an outdated and unnecessary regulatory review process.[70] It would also support his "commitment to making sure outdated Commission rules do not stifle investment and innovation" and his goals of ensuring that "American innovators and the people they want to serve [are not] throttled by outdated rules" and that "next-generation systems are [no longer] governed today by rules that were adopted over 30 years ago."[71]

Revising Section 87.305(a) of the Commission's rules to replace the Part 87 frequency advisory committee with a coordination process that can accelerate the deployment of innovative new services for AMT operators, MBAN operators, wireless microphone users, broadcasters and broadcast engineering companies, WCS licensees, and space launch operators would advance all of these goals. Critically, replacing the Part 87 frequency advisory committee with a more efficient and effective coordination process will help ensure that the United States maintains its

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[69] *Id.* at 5-6. Commissioners Anna Gomez and Olivia Trusty have also expressed support for streamlining application processes in a manner that helps pave the way for continued innovation in the space sector. *See e.g.*, *Statement of Commissioner Anna M. Gomez, Expediting Initial Processing of Satellite and Earth Station Applications and Space Innovation*, IB Docket Nos. 22-411 and 22-271, Second Report and Order (August 7, 2025); *Statement of Commissioner Olivia Trusty, Expediting Initial Processing of Satellite and Earth Station Applications and Space Innovation*, IB Docket Nos. 22-411 and 22-271, Second Report and Order (August 7, 2025) ("We are in the midst of a new space race, one defined not only by competition, but by rapid innovation. Washington must not allow bureaucratic inertia to hold us back. Instead, we must foster a regulatory environment that keeps pace with technological change and enables the next generation of space services and applications to thrive.").

[70] *Delete, Delete, Delete PN*, DA 25-219.

[71] Statement of Chairman Brendan Carr, *Modernizing Spectrum Sharing for Satellite Broadband; Revision of the Commission's Rules to Establish More Efficient Spectrum Sharing between NGSO and GSO Satellite Systems*, Notice of Proposed Rulemaking, Docket No. 25-157 (Apr. 28, 2025); *see also Carr Proposes Streamlined Space Processes, Boosts Innovation*, Office of Chairman Brendan Carr (Jul. 16, 2025) (outlining his goals to "streamline processes and accelerate the development of innovative new services. Clearing out regulatory barriers will empower new competitors and innovations in space, particularly the kind of neutral-host infrastructure that has proven so successful in the wireless industry.").

leadership and commercial dominance in the space industry.[72] The Commission must revamp Section 87.305(a), which is a regulation that has been "in place long after [its] shelf life ha[s] expired",[73] by implementing a coordination process that can keep up with the technological advancements and service specific operations in the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands that are necessary for the United States' economy and growth.

III. REVISING SECTION 87.305(A) OF THE COMMISSION'S RULES AND REMOVING THE PART 87 FREQUENCY ADVISORY COMMITTEE WILL PROMOTE THE PUBLIC INTEREST BY ENHANCING THE COORDINATION PROCESS AND INCENTIVIZING EFFICIENT SPECTRUM USE

Section 87.305(a) of the Commission's rules currently requires, among other things, that "[e]ach application for a new station license, renewal or modification of an existing license concerning flight test frequencies, except as provided in paragraph (b) of this section, must be accompanied by a statement from a frequency advisory committee."[74] It also requires the committee to "comment on the frequencies requested or the proposed changes in the authorized station and the probable interference to existing stations" and states that "committee recommendations may include comments on other technical factors and may contain recommended restrictions which it believes should appear on the license."[75]

The Commission should modernize these rules to allow entities seeking authorization to operate in the bands to utilize a coordination framework that encourages innovative uses,

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[72] *See* Jonathan P. Roll, et al., *Redshift The Acceleration of China's Commercial and Civil Space Enterprise & The Challenge to America, A Strategic Report from the Commercial Space Federation*, at 7-13, 47-53, 93, 96 (Sept. 2025); *id.* at 52 ("Without targeted U.S. investment in next-generation launch systems, IP protection, and industrial base resilience, ***as well as significant reforms to launch and reentry licensing and regulations***, America could risk losing its leadership in global launch markets and trailing technologically in strategic options to orbit.").

[73] FCC Chairman Carr Launches Massive Deregulation Initiative, News Release (rel. Mar. 12, 2025).

[74] 47 CFR § 87.305(a).

[75] *Id.*

facilitates future development in technology and equipment, and advances sharing among users in and adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. The Commission therefore should remove the frequency advisory committee and replace the antiquated Section 87.305(a) coordination framework with a framework that (1) allows entities to negotiate non-federal coordination agreements directly and privately; and/or (2) utilizes an unbiased, automated frequency coordination database.

The Commission should modify and modernize its Section 87.305(a) coordination rules to establish a framework that provides a simple, straightforward, and transparent means for spectrum users to coordinate and negotiate spectrum use without having to resort to central planning through a frequency advisory committee. This change would align with the coordination processes that are used by non-federal licensees/operators in other spectrum bands.[76] In addition, it would align with certain coordination methods that are currently employed by non-federal entities that operate in or adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.[77] Direct frequency coordination provides the most efficient and reliable means to enable real-time spectrum deconfliction and ensure operational success.

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[76] The Commission has found in other contexts that entities can account for the interference environment within their private negotiations and as a part of good-faith coordination. *See e.g., Single Network Future: Supplemental Coverage from Space; Space Innovation*, GN Docket No. 23-65; IB Docket No. 22-271, Report and Order and Further Notice of Proposed Rulemaking, 39 FCC Rcd 2622, 2668, para. 111 (2024) ("Under part 25 of the Commission's rules, satellite licenses for NGSO systems are generally granted in processing rounds with the understanding that the licensees are left to share and/or coordinate, in good faith, on their own by business arrangement."); *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services et al.*, GN Docket No. 14-177, et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 8014, paras. 293-95 (2016); *Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz Bands*, GN Docket No. 13-185, Report and Order, 29 FCC Rcd 4610, para. 92 (2014); *Amendment of Part 101 of the Commission's Rules to Modify Antenna Requirements for the 10.7–11.7 GHz Band et al.*, WT Docket No. 07-54, Report and Order, 22 FCC Rcd 17153, paras. 48-49 (2007).

[77] *See e.g.*, Letter from Ari Q. Fitzgerald, Counsel to GE HealthCare Technologies Inc., to Marlene H. Dortch, Secretary, FCC, WT Docket No. 24-687, at 5 (rec. Mar. 24, 2025) ("GEHC is committed to cooperating with other users of the 2360-2400 MHz band, including SpaceX, to achieve mutually beneficial agreements that avoid harmful interference."); Letter from Jameson Dempsey, Director, Satellite Policy, Space Exploration Technologies Corp., et

Direct coordination and deconfliction have also shown time and time again to be the most streamlined process for facilitating spectrum access, as opposed to going through an intermediary like the Section 87.305(a) frequency advisory committee. Indeed, U.S. launch providers often coordinate directly with themselves to ensure that operations are deconflicted. In some cases, launch providers have stood down from launches to allow other providers the additional time they needed to fly, like an airplane waiting its turn on the runway.

Eliminating the Part 87 frequency coordination role would not negatively impact flight test or commercial space launch operations-it would enhance them. The FAA already maintains a schedule that facilitates coordination and deconfliction within 7 days of launch, including with other airspace users. Range scheduling offices at launch sites similarly maintain transparent schedules of launch activities that enable frequency coordination and deconfliction within 7 days of launch. Launch service providers themselves maintain scheduling and deconfliction tools that enable frequency and schedule deconfliction within days of launch. And NTIA recently stood up its Launch Frequency Coordination Portal that will enable self-service frequency coordination and deconfliction in bands immediately adjacent to Upper S-band spectrum among similar users.

Specifically, the Commission's petition could seek comment on ways to build upon any of the existing real-time scheduling and deconfliction tools that are designed for scale, expanding physical deconfliction to address frequency deconfliction. Ideally, this tool should be able to

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al., to Marlene H. Dortch, Secretary, FCC, WT Docket No. 24-687, at 1 (rec. Mar. 21, 2025) ("Managing these variables requires close coordination between all stakeholders on short timelines. Over the last several years, launch service providers have risen to this challenge by working closely with each other and other spectrum users, including federal entities, to coordinate spectrum use in this increasingly complex environment."); AFTRCC Mar. 5, 2024 Comments at 19 ("AFTRCC also has a coordination agreement with Ligado Networks to ensure compatibility with any future Ancillary Terrestrial Component operations of Ligado on frequencies located just above the L-Band AMT Spectrum.").

ingest spectrum needs from authorized users including frequencies, bandwidth, date, time, etc. and then provide an immediate response if a conflict exists. That response would also provide contact information with potential victim operators to enable operator to operator deconfliction. Such an overdue upgrade would enable all spectrum users in the 1435-1535 MHz, 2360-2395 MHz, and 5091-5150 MHz bands to share redacted schedule and contact information, perform mutual deconfliction and self-coordinate operations. Implementing a non-biased, real time scheduling database will ensure that these spectrum bands are put to the most efficient use to achieve America's space and aerospace ambitions.

By implementing this framework, the Commission could enable direct coordination while maintaining a clear, rapid path for escalation when two parties cannot find a resolution by establishing a transparent set of guidelines for parties to follow that maximizes access for all users, consistent with current and future allocations, while preserving national priorities. This direct coordination framework would ensure technical feasibility and service continuity, especially where parties can structure mutually beneficial commercial arrangements directly with impacted users and maintain compliance with other regulatory obligations. The Commission need not impose mandatory bilateral requirements under the proposed framework and instead could impose a general duty to negotiate in good faith.[78] Providers should retain the flexibility to coordinate based on actual needs and mutual agreements, rather than via pre-arranged regulatory contracts. This approach will allow the Commission to encourage industry-led solutions and step in only if there is evidence of a failure to cooperate. This approach would also serve the public interest by accommodating additional growth for all services that operate in or adjacent to the

[78] *See e.g.*, 47 CFR §§ 25.261(b), 25.263(e), 27.58(e), 101.509(a)(2), 101.1421(a)(2).

1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands and facilitate more decongestion without causing harmful interference to incumbent, AMT services.

The Commission can facilitate efficient self-coordination by leveraging a shared database for non-federal coordination that enables operators to efficiently plan and coordinate. This proposal would complement the Congressional directive in the LCA and would be similar to that used in a range of other bands where the Commission has implemented an automated frequency coordination process.[79] In particular, the Commission could consider using an automation process similar to that in the 70/80/90 GHz bands.[80] Under the 70/80/90 GHz link registration framework, an operator is able to swiftly receive a nationwide, non-exclusive license to operate through ULS, but defers site and station registration and coordination to a neutral third-party link registration system.[81] In this way, rather than coordinate on behalf of the licensee—as AFTRCC currently does in its frequency advisory committee role—the 70/80/90 GHz third-party link registration system permits a licensee to identify potential spectrum conflicts and then self-coordinate as necessary to avoid harmful interference. The 70/80/90 GHz third-party link registration system also permits a licensee to automatically check its proposed deployment against the NTIA database of federal deployments and receive an approval ("green light") or a requirement to conduct further coordination with the federal agencies ("yellow light").

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[79] Launch Communications Act, Pub. L. No. 118-85, 138 Stat. 1546 §§ 1–2. *See e.g.*, 47 CFR pt. 96, sbpt. F (Citizen Broadband Radio Service Spectrum Access System); pt. 101, sbpt. Q (Service and Technical Rules for the 70/80/90 GHz Bands). *See generally* Comments of Federated Wireless, Inc., WT Docket No. 24-687, at 3 (rec. Jan. 22, 2205) (noting that the accomplishments, feasibility, and reliability of automated spectrum sharing systems can serve as a model for efficient frequency management in the space launch sector.").

[80] *See e.g.*, *Modernizing and Expanding Access to the 70/80/90 GHz Bands*, WT Docket No. 20-133, Report and Order and Further Notice of Proposed Rulemaking, 39 FCC Rcd 886, 888, para. 4 (2024) (*2024 70/80/90 GHz Bands R&O/FNPRM*).

[81] *Id.*

Adopting a simple, transparent, coordination system in the spirit of the 70/80/90 GHz link registration system would ensure that coordination is conducted in the most efficient and effective manner. The Commission should ensure any third-party frequency coordination system delivers the best value for American consumers for the lowest cost by facilitating fast and fair coordination between non-federal AMT operators, launch service providers, and other spectrum users. Launch service providers have continually refined their post-licensing coordination processes over years of experience to swiftly and efficiently deconflict spectrum use with other federal and non-federal spectrum users. The neutral frequency coordination system should draw from this experience and improve upon these processes.

Using a simple, transparent frequency coordination framework in place of the current frequency advisory committee could also minimize the risk of vendor "lock-in," which can trap agencies and end users in outdated, inefficient, and expensive coordination mechanisms for years or—in the case of AFTRCC—decades. Avoiding lock-in is particularly important for a system upon which space launch service providers and their federal and non-federal customers will depend to deliver essential space-based services, advance human spaceflight, and maintain American leadership in space. In so doing, the Commission will facilitate continued American leadership in space and spectrum policy, delivering immense benefits for the American public, and setting a strong example for other nations to follow. With a simple, transparent, and rapid system as a foundation, and additional automation to facilitate even more rapid deconfliction, the Commission will best achieve its goals of ensuring that its coordination procedures are efficient, streamlined, and capable of meeting the needs of all operators in or adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands.

CONCLUSION

The Commission should take this opportunity to modernize the Part 87 coordination and sharing framework to finally realize new entry and co-existence of all operators in and adjacent to the 1435–1535 MHz, 2360–2395 MHz, and 5091–5150 MHz bands. Doing so will improve efficiency, reduce administrative burden/waste, and continue to increase pace of activity in these bands in the years to come by ensuring that coordination processes are streamlined, straightforward, and efficient. Accordingly, CSF respectfully requests that the Commission expeditiously initiate a rulemaking proceeding to revise Section 87.305(a) of its rules so that the American public, AMT operators, MBAN operators, wireless microphone users, broadcasters and broadcast engineering companies, WCS licensees, and space launch and re-entry operators can finally enjoy the benefits and innovative successes that a rapid and efficient coordination process can provide when seeking access to these bands.

Respectfully submitted,

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