



11 July 2023

(23-4680)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: UNITED STATES OF AMERICA If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Federal Communications Commission (FCC) [2047] Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Broadband and mobile services, wireless telecommunications; Quality (ICS code(s): 03.120); Radiocommunications (ICS code(s): 33.060); Mobile services (ICS code(s): 33.070)
5. Title, number of pages and language(s) of the notified document: Expanding Use of the 12.7-13.25 GHz Band for Mobile Broadband or Other Expanded Use; (38 page(s), in English)
6. Description of content: Notice of proposed rulemaking - In this document, the Federal Communications Commission (Commission or FCC) seeks comment on various proposed means for transitioning some or all of the 550 megahertz between 12.7-13.25 GHz (the 12.7 GHz band) to mobile broadband and other expanded use, as well as on alternative changes to the Commission's rules that could promote use of the band on a shared basis.
7. Objective and rationale, including the nature of urgent problems where applicable: Prevention of deceptive practices and consumer protection; Quality requirements; Harmonization; Cost saving and productivity enhancement
8. Relevant documents: 88 Federal Register (FR) 43938, 10 July 2023; Title 47 Code of Federal Regulations (CFR) Parts 1, 2, 15, 25, 27, 74, 78, and 101: https://www.govinfo.gov/content/pkg/FR-2023-07-10/html/2023-13500.htm https://www.govinfo.gov/content/pkg/FR-2023-07-10/pdf/2023-13500.pdf https://docs.fcc.gov/public/attachments/FCC-23-36A1.pdf Expanding Flexible Use of the 12.7-13.25 GHz Band for Mobile Broadband or Other Expanded Use; Final order published 10 July 2023:

<https://www.govinfo.gov/content/pkg/FR-2023-07-10/html/2023-13502.htm>

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The above are links to summaries of the Commission's Notice of Proposed Rulemaking (NPRM) in GN Docket No. 22-352 included in the Report and Order and Further Notice of Proposed Rulemaking and Notice of Proposed Rulemaking and Order, FCC 23-36, adopted on 18 May 2023 and released on 19 May 2023. The full text of these documents is available at <https://docs.fcc.gov/public/attachments/FCC-23-36A1.pdf>.

This proposed rule and the final order are identified by GN Docket Number 22-352, FCC 23-36. The Docket Folder is available on the FCC's website at <https://www.fcc.gov/edocs/search-results?t=quick&fccdaNo=23-36&dockets=22-352> and provides access to associated documents as well as comments received (if any). Documents are also accessible from the FCC's [Electronic Document Management System \(EDOCS\)](#) by searching the WT Docket Number. Comments are due on or before 9 August 2023; reply comments are due on or before 8 September 2023. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by or before [4pm Eastern Time](#) on 9 August 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [FCC Electronic Comment Filing System \(ECFS\)](#) if received within the comment period.

9. Proposed date of adoption: To be determined

Proposed date of entry into force: To be determined

10. Final date for comments: 9 August 2023

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

https://members.wto.org/crnattachments/2023/TBT/USA/23_10929_00_e.pdf

https://members.wto.org/crnattachments/2023/TBT/USA/23_10929_01_e.pdf