



NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Federal Communications Commission (FCC) 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 [], 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 Flexible Use of the 12.2-12.7 GHz Band; (13 page(s), in English)
6. Description of content: Proposed rule - In this document, the Federal Communications Commission (Commission) seeks further comment on how it could facilitate more robust terrestrial operations in the 12.2-12.7 GHz (12.2 GHz) band through additional possible terrestrial uses of the band including one-way, point-to-point or point-to-multipoint fixed links at higher powers than current Multichannel Video Distribution and Data Service (MVDDS) rules permit; two-way, point-to-point fixed links at standard part 101 power limits; two-way, point-to-multipoint links; indoor only underlay on a licensed by rule basis; unlicensed use; and expanded use through technology-based sharing using Automated Frequency Coordination. In their responses to these inquiries, the Commission strongly encourages commenters to provide specific proposals and detailed technical data to support their proposals.
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) 43502, 10 July 2023; Title 47 Code of Federal Regulations (CFR) Parts 2, 15, 25, 27, and 101 (WT Docket No. 20-443; FCC 23-36):

<https://www.govinfo.gov/content/pkg/FR-2023-07-10/html/2023-13501.htm>

<https://www.govinfo.gov/content/pkg/FR-2023-07-10/pdf/2023-13501.pdf>

<https://docs.fcc.gov/public/attachments/FCC-23-36A1.pdf>

Expanding Flexible Use of the 12.2-12.7 GHz Band (GN Docket No. 22-253; FCC 23-36); Final report and order published 10 July 2023:

<https://www.govinfo.gov/content/pkg/FR-2023-07-10/html/2023-13503.htm>

<https://www.govinfo.gov/content/pkg/FR-2023-07-10/pdf/2023-13503.pdf>

Above are links to summaries of the Commission's *Report and Order (R&O)* in WT Docket No. 20-443 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 19 May 2023. The complete full text is available at <https://docs.fcc.gov/public/attachments/FCC-23-36A1.pdf>.

This proposed rule and the final order (notified as G/TBT/N/USA/1727/Add.3) are identified by WT Docket Number 20-443, 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=20-443> 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 or fax numbers and email and website addresses, if available, of other body:**

https://members.wto.org/crnattachments/2023/TBT/USA/23_10922_00_e.pdf

https://members.wto.org/crnattachments/2023/TBT/USA/23_10922_01_e.pdf