

# Resistance to Dish's MVDDS Spectrum Repurposing Lessens

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AT&T and other parties who have opposed Dish Network's attempt to repurpose its 12.2 to 12.7 GHz direct broadcast satellite spectrum for terrestrial wireless use may be softening their resistance, one source close to the matter and two industry executives told CTFN.

AT&T, perceived to have the most clout at the Federal Communications Commission against the repurposing of multichannel video and data distribution service (MVDDS), has not shown interest in the matter of late, said a source close to the commission, and it is "probably not inaccurate" to say AT&T is deemphasizing satellite.

AT&T may have only one satellite in the MVDDS band, and little desire to invest in more, according to the MVDDS executives.

Meanwhile, OneWeb and others who voiced concerns to the FCC regarding Dish's proposal to repurpose the spectrum might be able to find resolutions from spectrum sharing techniques recently tested for the 3.5 GHz citizens broadband radio service (CBRS) band by the National Telecommunications and Information Administration (NTIA), the two executives added.

A source close to OneWeb disagreed, however, and said the company remains "strident" in its opposition to Dish's plans for repurposing.

Last month, the Wall Street Journal reported AT&T had discussed a spinoff of DirecTV or a merger between DirecTV and Dish, amid subscriber losses.

In 2016, Dish affiliates and partners, calling themselves the MVDDS 5G Coalition, petitioned the FCC to establish rulemaking to repurpose the spectrum for two-way mobile broadband.

AT&T, which uses the spectrum for DirecTV operations, replied that the petitioners presented no technical justification to change longstanding FCC rules. OneWeb said it had plans for the spectrum under technical guidelines set in the early 2000s.

MVDDS offers 500 megahertz of mid-band spectrum suitable for 5G, similar to the C-band spectrum, the industry executives said. Dish and affiliates own 75% of the MVDDS. Other owners are MDS America and RS Access, funded by Michael Dell's MSD Capital.

A "conservative" estimate for the value of Dish's MVDDS spectrum is 2.5 cents per MHz pop, or roughly \$3 billion, the first industry executive said.

"It's the largest wireless spectrum swath in the country," said the second industry executive. "It's a giant pipe."

Kirk Kirkpatrick, CEO of MDS America, told CTFN those opposed to repurposing the spectrum have overstated the issue of interference in the band. Since MVDDS requires directional receivers on towers aimed at satellites, it is easy to have more than enough degrees of distance between most other operations.

On October 4, RS Access filed an ex parte with the FCC detailing the benefits of 12 GHz spectrum for 5G and urged the commission to put MVDDS to its "highest valued use." RS Access called rules instituted by the FCC 15 years ago "outdated" and "unnecessary," and said they "needlessly prevent this vital national resource from enabling national 5G priorities."

The next step toward revitalizing the request for a notice of proposed rulemaking, said a third industry participant, could be when Dish and other owners of MVDDS spectrum receive FCC approvals for building out their networks. The deadline for the buildout was in July.

The FCC declined to comment.

AT&T and Dish declined to comment. OneWeb did not return inquiries.

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