



8 December 2025

(25-8227)

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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: <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) [2284]
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 codes or national tariff lines. ICS numbers may be provided in addition, where applicable): Broadband and mobile services, wireless telecommunication; Telecommunication systems (ICS code(s): 33.040); Radiocommunications (ICS code(s): 33.060); Mobile services (ICS code(s): 33.070)
5. Details of notified document(s) (title, number of pages and languages, means of access): In the Matter of Upper C-band (3.98-4.2 GHz); (26 page(s), in English) Link to notified document(s) and/or contact details for agency or authority which can provide copies upon request: https://members.wto.org/crnattachments/2025/TBT/USA/25_08736_00_e.pdf https://members.wto.org/crnattachments/2025/TBT/USA/25_08736_01_e.pdf
6. Description of content: Proposed rule - In this Notice of Proposed Rulemaking (NPRM), the Federal Communications Commission (Commission) seeks comment on proposed rule changes that would expand the ecosystem for next generation wireless services in the 3.7-4.2 GHz band (C-band) by making as much as 180, and at least 100, megahertz of the 3.98-4.2 GHz band (Upper C-band) available for terrestrial wireless flexible use via a system of competitive bidding. This action would be in furtherance of Congress' direction in the One Big Beautiful Bill Act (OBBA Act) to "complet[e] a system of competitive bidding not later than 2 years after the date of enactment of this Act for not less than 100 megahertz in the band between 3.98 gigahertz and 4.2 gigahertz." The NPRM seeks comment on options for reconfiguring the Upper C-band in the contiguous United States ranging from 180 megahertz (3.98-4.16 GHz) to the congressionally mandated minimum of 100 megahertz (3.98-4.08 GHz) for terrestrial wireless use. The NPRM seeks comment on how much Upper C-band spectrum--beyond the minimum 100 megahertz required by the OBBA Act--could be repurposed by incumbent fixed satellite service (FSS) space station operators and on how the transition could be effectuated if their existing customers relocate out of the C-band. Under any of the reconfiguration options under consideration, the NPRM's baseline proposition is to apply the existing 3.7 GHz Service rules (applicable in the Lower C-band from 3.7-3.98 GHz) to any newly authorized terrestrial wireless operations. Any other rules and requirements, including those relating to the transition process, would be modeled to the greatest extent possible on those that applied to the Lower C-band transition. The NPRM also seeks comment on a range of issues associated with repurposing some portion of the Upper C-band, including: reallocation of the 4.0-4.2 GHz band; competitive bidding procedures for an eventual auction; licensing, operating,

	and technical rules for any new wireless services; (4) transitioning incumbent FSS operations; and promoting co-existence with adjacent band radio altimeters.
7.	Objective and rationale, including the nature of urgent problems where applicable: Cost saving and productivity enhancement
8.	<p>Relevant documents:</p> <p>90 Federal Register (FR) 56076, 5 December 2025; Title 47 Code of Federal Regulations (CFR) Parts 2 and 25:</p> <p>https://www.govinfo.gov/content/pkg/FR-2025-12-05/html/2025-22020.htm</p> <p>https://www.govinfo.gov/content/pkg/FR-2025-12-05/pdf/2025-22020.pdf</p> <p>https://docs.fcc.gov/public/attachments/FCC-25-78A1.pdf</p> <p>This proposed rule is identified by GN Docket No. 25-59, FCC 25-78 and provides access to associated documents. The full text of the proposed rule is available from the Commission's website at https://docs.fcc.gov/public/attachments/FCC-25-78A1.pdf. Documents are also accessible from the FCC's Electronic Document Management System (EDOCS) by searching the Docket Number.</p>
9.	<p>Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: To be determined</p>
10.	<p>Provision of comments</p> <p>Final date for comments: 3 February 2026</p> <p>[] 60 days from notification</p> <p>Comments are due on or before 5 January 2026; reply comments are due on or before 4pm Eastern Time on 3 February 2026. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 3 February 2026. Comments received from WTO Members and their stakeholders will be shared with FCC and will also be submitted to the FCC's Electronic Comment Filing System (ECFS) if received within the comment period. Comments will be accessible at https://www.fcc.gov/ecfs/search/search-filings/results?q=(proceedings.name:(%2225-59%22)).</p> <p>Contact details of agency or authority designated to handle comments regarding the notification:</p> <p>Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov</p>