

# United States Senate

WASHINGTON, DC 20510

October 1, 2020

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Pai:

As the Federal Communications Commission (FCC) continues to implement the Secure and Trusted Communications Networks Act (the “Act”), we write to urge you to include OpenRAN and other solutions that adhere to open and interoperable standards (“OpenRAN solutions”) on “the list of suggested replacements of both physical and virtual communications equipment, application and management software, and services” that the Act requires the FCC to develop. As you know, the Act directs that the list shall be technology neutral. An explicit assurance to impacted carriers that they may select OpenRAN solutions to replace covered equipment would support other potential benefits, including easing subsequent updates to “future proof” networks. This guarantee may also stretch federal dollars further, as OpenRAN offers the possibility of cost savings.

Further, to aid in securing communications networks as expeditiously as possible, the FCC should make clear that equipment and services on the list of suggested replacements, including OpenRAN solutions, will be eligible for reimbursement as prescribed in the Act. The FCC should also clarify to carriers that they need not wait for the Act to be fully implemented and funded to begin the replacement process to be eligible for reimbursement if using suggested replacement equipment and services.

The inclusion of OpenRAN solutions on the list of suggested replacements could produce benefits beyond the immediate goal of securing American communications networks. Such equipment is interoperable, uses open interfaces, is not reliant on a single equipment vendor, and is easily upgradeable to new applications and uses, including 5G OpenRAN, without the need to continually replace proprietary equipment or conduct additional tower climbs. Moreover, this equipment will help spur innovation and create more competition and diversity in the supply chain. It is prudent that we take full advantage of this moment to prevent similar concerns from arising in the future.

Accordingly, we request the FCC to explicitly allow reimbursement of affected carriers for purchases of OpenRAN solutions to replace covered equipment in their networks. We applaud the FCC’s recent Forum on 5G Open Radio Access Networks and laud your work to highlight the importance of OpenRAN solutions. Thank you for your attention to this important matter, and we look forward to our continued work.

Sincerely,

/s/ Mark R. Warner

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Mark R. Warner  
United States Senator

/s/ Marco Rubio

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Marco Rubio  
United States Senator

/s/ Margaret Wood Hassan

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Margaret Wood Hassan  
United States Senator

/s/ John Cornyn

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John Cornyn  
United States Senator

/s/ Robert Menendez

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Robert Menendez  
United States Senator

/s/ Richard Burr

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Richard Burr  
United States Senator

/s/ Michael F. Bennet

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Michael F. Bennet  
United States Senator

/s/ Tom Cotton

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Tom Cotton  
United States Senator

/s/ Angus S. King

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Angus S. King  
United States Senator

CC:

Commissioner Brendan Carr  
Commissioner Geoffrey Starks  
Commissioner Mike O'Rielly  
Commissioner Jessica Rosenworcel