

The NWCC supports the objective of the second EO -- the tightening of restrictions on foreign-manufactured drones, in particular those that present security concerns when operated in sensitive or regulated environments. NWCC members have alerted their memberships to the drones that have appeared on the FCC's Covered List⁴ and will keep them updated as to any changes to it.

Most importantly, the first EO prioritizing spectrum access “critical for the safe and scalable deployment of autonomous and remotely piloted drones, particularly those operating BVLOS”⁵ (beyond visual line of sight) remains of immediate interest to the NWCC and its members. This includes the broad range of public safety organizations – including police, fire, EMS, and transportation – as well as every segment of the U.S. business and industrial community, including critical infrastructure entities.

Each of these constituencies is already deploying drones (or has plans to do so) and maintains a keen interest in actions the FCC might take to ensure American users “have access to sufficient spectrum for drone testing and operations, including services to the public.”⁶ These entities require spectrum for both command and control (C2) systems and payload data for faster, more efficient, and more economical delivery of the public safety and industrial services they provide to the public. Several members described their drone requirements in filings in WT Docket No. 22-323, for example:

At Xcel Energy, unmanned aircraft systems are being integrated into the Company's operations to enhance public and worker safety, improve reliability to its customers, and capture maximum efficiency gains.⁷

⁴ *Public Safety and Homeland Security Bureau Announces Addition of Uncrewed Aircraft Systems (UAS) and UAS Critical Components Produced Abroad, and Equipment and Services Listed in Section 1709 of the FY2025 NDAA, to FCC Covered List*, WC Docket No. 18-89, et al., DA 25-1086 (Dec. 22, 2025), <https://docs.fcc.gov/public/attachments/DA-25-1086A1.pdf>, (December 2025 Covered List PN).

⁵ Public Notice at 2.

⁶ *Ibid.*

⁷ Reply Comments of Xcel Energy Services, Inc., WT Docket No. 22-323, at 2.

ENTELEC and API members need a reliable method to provide limited video or data feeds for real-time monitoring of ground-based assets and other mission objectives by [Unmanned Aircraft Systems].⁸

Utilities are increasingly operating UAs for various applications, including emergency response and restoration as well as routine maintenance and inspections.⁹

These and other NWCC-member commenters in that proceeding also emphasized the critical importance of exclusive drone allocations for their operations. An exclusive allocation for public safety, critical infrastructure and other industrial entities is needed and for the same reason the FCC has provided discrete allocations for their terrestrial operations. Drones providing information about an erupting wildfire, an accident at a plant handling potentially lethal materials, or suddenly hazardous road conditions must have priority access to spectrum. Their flights cannot be scheduled in advance or wait in a queue behind drones delivering paper towels to a home. Since the FCC has not yet set up the dynamic frequency management systems (DFMS) that will manage and coordinate drone access in the 5030-5091 MHz band, it is not possible to evaluate their effectiveness in meeting the requirements of these users, but commercial consumer-oriented and high priority safety communications are not an optimal mix.

This is an issue today because, as noted in the Public Notice, most drones must use unlicensed spectrum, including spectrum that hosts consumer devices such as Wi-Fi routers¹⁰ or operate on a commercial network designated as flexible use.¹¹ Neither option is appropriate in emergency situations and operations on unlicensed spectrum can experience interference.¹²

⁸ Joint Comments of the Regulatory and Technology Committee of the Energy Telecommunications and Electrical Association and the Telecommunications Subcommittee of the American Petroleum Institute, WT Docket No. 22-323 at 4.

⁹ Reply Comments of the Utilities Technology Council, WT 22-323, at 2.

¹⁰ Public Notice at 4.

¹¹ *Id.* at 6.

¹² The future of the 902-928 MHz band for unlicensed use is uncertain in light of the proceeding addressing the Petition for Rulemaking to reconfigure the band filed by NextNav, Inc. (WT 24-240).

The NWCC is pleased the FCC is exploring what is an increasingly essential tool in its members' communications systems. It looks forward to working with the FCC in identifying spectrum that meets member needs and in crafting rules that advance the strategies laid out in the EOs.

Respectfully submitted,

**NATIONAL WIRELESS
COMMUNICATIONS COUNCIL**

A handwritten signature in blue ink that reads "Michele Farquhar". The signature is written in a cursive style with a large, stylized 'M' and 'F'.

Michele Farquhar

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