

Before the  
**Federal Communications Commission**  
Washington DC 20554

In the Matter of	)	
	)	
Amendment to the National Table of	)	
Frequency Allocations to Provide	)	RM-11341
Allocation Status for Federal Earth	)	
Stations Communicating with	)	
Non-Federal Satellites	)	

**REPLY COMMENTS OF THE  
FIXED WIRELESS COMMUNICATIONS COALITION**

The Fixed Wireless Communications Coalition (FWCC) files these reply comments in the above-captioned proceeding.<sup>1</sup>

The National Telecommunications and Information Administration (NTIA) filed a Petition for Rulemaking that seeks to allow federal earth stations to operate with non-federal satellites on a parity basis with non-federal earth stations.

The Fixed Service shares several bands with the Fixed Satellite Service that would be affected by increased federal usage. Fixed Service facilities use these frequencies to carry public safety communications (including police and fire vehicle dispatch), coordinate the movement of railroad trains, control natural gas and oil pipelines, regulate the electric grid, and backhaul wireless telephone traffic, among other critical services.

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<sup>1</sup> The FWCC is a coalition of companies, associations, and individuals interested in the Fixed Service -- *i.e.*, in terrestrial fixed microwave communications. Our membership includes manufacturers of microwave equipment, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. The membership also includes railroads, public utilities, petroleum and pipeline entities, public safety agencies, cable TV and private cable providers, backhaul providers, and/or their respective associations, communications carriers, and telecommunications attorneys and engineers. Our members build, install, and use both licensed and unlicensed point-to-point, point-to-multipoint, and other fixed wireless systems, in frequency bands from 900 MHz to 95 GHz. For more information, see [www.fwcc.us](http://www.fwcc.us).

The NTIA request drew three comments. Lockheed Martin Corporation supports the request. Hispasat, S.A. supports the request and asks for action on its own related petition. The Satellite Industry Association (SIA) supports the request so long as federal earth stations operate at parity and are not granted what SIA calls "super-primary" status.<sup>2</sup> SIA is especially concerned that federal earth stations be made subject to the same Commission procedures as non-federal earth stations as to public notice of applications with location and technical parameters, resolution of any interference issues prior to operation, and the applicability of Commission enforcement procedures.

The FWCC agrees with SIA in principle, although we emphasize different details.

The Fixed Service and the Fixed Satellite Service are able to share bands, yet avoid causing each other interference, through frequency coordination. The applicant for a proposed station must disclose to a coordinator its planned location, azimuth, frequency, power, and so forth. The coordinator identifies the incumbents who might be affected and notifies them of the proposed operation. Sometimes an incumbent threatened with interference will ask the applicant to make changes to its proposal. Sometimes the applicant must agree to accept some level of interference from incumbents. Sometimes the coordinator is able to find alternative frequencies that avoid interference problems.

The FWCC does not object to NTIA's request *if federal earth stations are subject in all respects to the same frequency coordination procedures as non-federal earth stations*. That will enable the Fixed Service to protect both its own operations and those of the federal earth stations from harmful interference.

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<sup>2</sup> SIA at 3-4.

In particular, the FWCC is eager to avoid a recurrence of the situation we face in the 23 GHz Fixed Service band. There, the Fixed Service presently must coordinate with federal users. But a federal user can block coordination without disclosing data about its operations that might enable the Fixed Service applicant to resolve the interference by modifying its plans. If the Fixed Service is to share spectrum with the federal government in other bands, we request the same open and transparent coordination process as we use successfully with non-federal earth stations. Without a reciprocal exchange of location and technical parameters, the timeliness of future Fixed Service deployments and efficient use of the spectrum will be impaired.

Finally, we ask the Commission to consider initiating a rulemaking that would open some or all of the exclusive federal fixed spectrum between 7125 and 8400 MHz to non-federal Fixed Service use. Inasmuch as federal use of non-federal satellite spectrum will inevitably hinder the establishment of new Fixed Service operations in shared bands, the Commission's taking a similarly flexible approach to federal fixed spectrum would assist the Fixed Service in meeting critical communications needs.

Respectfully submitted,

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October 3, 2006

## **CERTIFICATE OF SERVICE**

I, Deborah N. Lunt, a secretary with the law firm of Fletcher, Heald & Hildreth, PLC, hereby state that true copies of the forgoing Reply Comments were sent by first class mail, postage prepaid, this 3<sup>rd</sup> day of October, 2006, to the people noted on the attached Service List.

Deborah N. Lunt

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