

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)	
)	
Amendment of Parts 2 and 101 of the)	RM-11605
Commission's Rules to Provide for Federal)	
and Non-Federal Sharing in the 7125-8500)	
MHz Band)	

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

Pursuant to Section 1.405(b) of the Commission's Rules, the Fixed Wireless Communications Coalition (FWCC)¹ files this reply comment in support of the above-captioned rulemaking petition.²

The FWCC is the original proponent of this rulemaking. We asked the Commission, in collaboration with NTIA, to permit non-Government users to share the 7125-8500 MHz Government fixed service band. We explained that this spectrum is needed to satisfy the demand for backhaul to serve the coming expansion of mobile broadband.

¹ 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.

² *Consumer & Governmental Affairs Bureau Reference Information Center Petition for Rulemakings Filed*, Report No. 2908 (released June 4, 2010).

Seven comments were filed. None opposes the petition. Five parties express unconditional support. One requests a provision relating to experimental licensees in the band, and one seeks protection for an adjacent band.

Discussion of Comments

Comsearch, widely respected for its expertise in fixed service coordination and spectrum issues, provides data to show both severe congestion in the private 6 GHz bands and room for expansion in the Government 7-8 GHz band.³ Comsearch also supports the FWCC request for fast, preferably automated, frequency coordination between private and Government users.⁴

The National Spectrum Management Association (NSMA) endorses the proposal, citing the success of longstanding private-Government sharing in the 23 GHz band.⁵

Provider Ceragon Networks, Ltd. emphasizes the need for spectrum below 10 GHz to preserve reliability during rainfall, and supports the proposal.⁶ Ceragon suggests that the Commission authorize channels wider than 30 MHz, such as 40, 50, and 60 MHz, to accommodate the transport of high capacity traffic.⁷

³ Comsearch at 2-3.

⁴ *Id.* at 4-5.

⁵ National Spectrum Management Association at 2-3. The NSMA describes itself as a voluntary international association of microwave radio/wireless and satellite frequency coordinators, licensees, manufacturers, and regulators, established in 1984, which provides a forum to develop industry guidelines for efficient use and management of the frequency spectrum by the wireless telecommunications community. NSMA at 1 n.1.

⁶ Ceragon Networks, Ltd. at 2.

⁷ *Id.*

Motorola, Inc. likewise supports the proposal, noting that private allocations below 10 GHz are heavily used in many areas of the country.⁸

The FWCC filed comments to emphasize President Obama's recent call for the Commission to make available 500 MHz of broadband spectrum, a move that will accelerate the need for backhaul capacity.⁹

The Engineers for the Integrity of Broadcast Auxiliary Services Spectrum (EIBASS) seek protection of the Broadcast Auxiliary Services (BAS) adjacent band at 6875-7125 MHz.¹⁰ We agree that applicants in the 7125-8500 MHz band should be required to coordinate with adjacent BAS facilities. We oppose the specific language that EIBASS suggests,¹¹ however, as being unnecessary if fixed service coordination obligations under Section 101.103 are extended to 7125-8500 MHz.

The Boeing Company does not oppose private fixed service operations in the 7125-8500 MHz band, but asks that experimental licensees in the band not be required to obtain the consent of fixed service licensees before operating.¹² Current practice generally requires such consent.¹³ Boeing explains that it often conducts its testing at remote locations or in RF shielded facilities, generally at low power and for brief periods of time.¹⁴ Nonetheless, in other bands, it sometimes

⁸ Motorola, Inc. at 2-3.

⁹ Fixed Wireless Communications Coalition at 2.

¹⁰ Engineers for the Integrity of Broadcast Auxiliary Services Spectrum at 1.

¹¹ *Id.* at 2.

¹² The Boeing Company at 7.

¹³ *Id.* at 5-6.

¹⁴ *Id.* at 4.

has difficulty in obtaining consent even from licensees that have not constructed their facilities or would not suffer harmful interference.¹⁵

Because experimental licenses are generally granted without frequency coordination, some form of communication between experimental licensees and other authorized users is needed to prevent harmful interference. We suggest that the Commission simply require experimental licensees in this band to coordinate with fixed service licensees (but not vice versa) using procedures similar to those in Part 101.¹⁶ This is consistent with the present rules:

The Commission may, at its discretion, condition any experimental license or STA on the requirement that before commencing operation, the new licensee coordinate its proposed facility with other licensees that may receive interference as a result of the new licensee's operations.¹⁷

Under Part 101 procedures, non-response to a prior coordination notice within a specified time period is treated as consent to the proposed operation.¹⁸ This approach will ensure that experimental licensees are not blocked by unbuilt facilities or unresponsive license holders, while still protecting the fixed service against interference. The coordination process may also benefit experimental licensees by informing of them of ongoing operations on the frequencies they wish to use.

¹⁵ *Id.* at 6.

¹⁶ *See* 47 C.F.R. § 101.103.

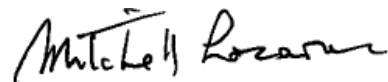
¹⁷ 47 C.F.R. § 5.85(e). The coordination would not enable the experimental licensee to block fixed service applications. *See* 47 C.F.R. § 5.85(c).

¹⁸ 47 C.F.R. § 101.103(d)(2)(iv).

CONCLUSION

Nothing in the publicly available comments questions the wisdom of the FWCC proposal for private sharing in the 7125-8500 MHz band. We ask the Commission to release a Notice of Proposed Rulemaking as quickly as possible, with provisions for adjacent-band and in-band frequency coordination as noted above.

Respectfully submitted,



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July 21, 2010

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 foregoing Reply Comments of the Fixed Wireless Communications Coalition have been mailed first class, postage prepaid, this 21th day of July, 2010, to the persons named on the attached Service List, except that addresses at the Federal Communications Commission are served by hand delivery.

A handwritten signature in black ink, appearing to read 'D. Lunt', with a long horizontal flourish extending to the right.

Deborah N. Lunt

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