

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

In the Matter of	)	
	)	
Amendment of Part 2 of the Commission’s Rules	)	
for Federal Earth Stations Communicating with	)	
Non-Federal Fixed Satellite Service Space	)	
Stations;	)	ET Docket No. 13-115
	)	
Federal Space Station Use of the 399.9-400.05	)	RM-11341
MHz Band; and	)	
	)	
Allocation of Spectrum for Non-Federal Space	)	
Launch Operations	)	

**COMMENTS OF THE  
FIXED WIRELESS COMMUNICATIONS COALITION**

The Fixed Wireless Communications Coalition, Inc. (FWCC)<sup>1</sup> files these Comments in the above-captioned proceeding.<sup>2</sup>

The *Notice* proposes 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 stand to be affected by this proposal. Fixed Service facilities in these bands carry public safety

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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, fixed microwave engineering firms, 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 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).

<sup>2</sup> *Federal Earth Stations Communicating with Non-Federal Fixed Satellite Service Space Stations*, Notice of Proposed Rulemaking and Notice of Inquiry, 28 FCC Rcd 6698 (2013) (*Notice*).

communications (including police and fire vehicle dispatch), coordinate the movement of railroad trains, control natural gas and oil pipelines, regulate the electric grid, backhaul wireless telephone traffic, and carry vast amounts of business data. These systems form an essential backbone of the U.S. economy.

The Fixed Service and the Fixed Satellite Service are able to share bands without causing each other interference through the process of frequency coordination. The applicant for a proposed station, sometimes with the help of a frequency coordination firm, identifies incumbents and prior applicants that might be affected by the proposed operation. By circulating a prior coordination notice (PCN), it notifies those parties of the planned location, azimuth, frequency, power, and so forth.<sup>3</sup> Sometimes an incumbent or prior applicant receiving a PCN will ask the applicant for changes to avoid causing interference. Sometimes the applicant must agree to accept some level of interference from incumbents. Sometimes a frequency coordinator is able to find alternative frequencies that avoid interference problems.

The PCN notification and response period provided for in the rules is 30 days. When needed, the timeframes can be reduced to a few days.

The FWCC does not object to Federal earth station access of non-Federal satellites, but only if *Federal earth stations are subject in all respects to the same frequency coordination rules and industry-accepted procedures as are non-Federal earth stations*. This means, among other things, that applicants for Federal earth stations must circulate and respond to PCNs in the same manner and timeframes as non-Federal earth stations, and must agree to use and rely on the same terrain datum, propagation models, and interference methodology and criteria as are used for non-Federal earth station coordinations. Government sites must not be able to claim interference

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<sup>3</sup> See 47 C.F.R. § 101.103(d).

rights greater than those provided to similar commercial earth station licenses. The process must have complete transparency overall.

The *Notice* in several places expects Federal users to conform to present Commission rules and procedures.<sup>4</sup> We are concerned, however, by this passage:

To enable protection of government FSS earth station operations in these [newly shared] bands, we propose that the Federal agencies or NTIA monitor Commission public notices regarding filed earth station applications to determine whether proposed non-Federal *terrestrial stations* raise any interference concerns to existing Federal earth stations.<sup>5</sup>

The passage goes on to invite NTIA to “file an opposition ... in accordance with established Commission procedure” to a proposed non-Federal station that will cause interference to an existing Federal earth station.<sup>6</sup>

The term “terrestrial stations” in the block quotation above is confusing; perhaps the Commission meant to say “earth stations.” If in fact the passage has no relation to Fixed Service terrestrial stations, then we have no objection; earth station licensees and applicants can work out their differences any way they want. On the other hand, if the Commission proposes to let Federal users ignore Fixed Service PCNs and object to a Fixed Service link only after the application is filed and on public notice, then we object in the strongest terms. The installation of a new Fixed Service link is often urgent. Typically the operator turns on the link immediately upon filing the application—days before appearance of the public notice and weeks before a

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<sup>4</sup> *E.g.*, *Notice* at ¶ 38 (“In bands shared with terrestrial users such as the C-band and extended Ku-band, either NTIA or the Federal agency would coordinate with terrestrial stations as required by the Commission’s rules”) (citation footnote omitted).

<sup>5</sup> *Notice* at ¶ 39 (emphasis added; footnotes omitted).

<sup>6</sup> *Id.*

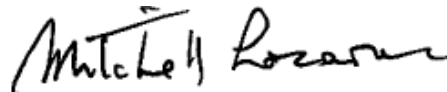
Petition to Deny is due.<sup>7</sup> To learn of an interference issue only after weeks of operation is disruptive and unnecessary.

Overall, the FWCC seeks 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.

#### CONCLUSION

The FWCC has no objection to Federal access to non-Federal satellite spectrum so long as Federal users comply with all established frequency coordination procedures.

Respectfully submitted,



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August 30, 2013

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<sup>7</sup> See 47 C.F.R. § 101.31(b) (conditional authorization).

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