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December 20, 1999

VIA HAND DELIVERY

Magalie Roman Salas, Esquire
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Written Ex Parte Communication in
IB Docket No. 98-172
RM-9147 and RM-9245
(18 GHz Blanket Licensing Rulemaking)

Dear Ms. Salas:

The Fixed Wireless Communications Coalition (FWCC) notes with concern two letters filed by Harris, Wiltshire & Grannis on November 30, 1999 in the above cited Docket. One letter is a notification of an oral ex parte in IB Docket No. 98-172; the other is a letter to Mr. Donald S. Abelson, Chief of the International Bureau, re "18 GHz Blanket Licensing Rulemaking", IB Docket No. 98-172. The letter to Mr. Abelson outlines the difficulties Teledesic would experience if they were restricted from using the top 40 MHz of the 500 MHz for which they are seeking to have exclusive use. Attached to that letter is a twenty page document detailing technical constraints and illustrating technical problems.

When Teledesic Corporation first proposed its NGSO system it was fully aware that the 18 GHz band was already populated with a significant number of FS links. At the time when sharing with FS was first discussed, the FS community was advised that Teledesic would be able to operate in a shared environment. Later after much work was done internationally at the ITU to promote a co-equal sharing environment with the incumbent FS allocation. Teledesic changed its position to one that they should be

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allocated the exclusive National access to 500MHz of spectrum, at the expense of other users, primarily the FS.

In the spirit of cooperation and recognizing that there were some International benefits to the US to pioneer NGSO FSS on a global basis, the FS community through the FWCC, agreed to forfeit the future growth of a very valuable part of an ever diminishing FS spectrum, by agreeing to the secondary status imposed upon the FS in the 18.58 – 19.16 GHz band in the NPRM. This agreement was on the condition that the existing paired bands at 17.7 – 18.14 and 19.26 – 19.7 would continue to be available to accommodate growth, and that a portion of this band would be rechannelized to be more efficient in accommodating the displaced narrow band channels.

At the time there was no indication from Teledesic that the incumbents in the 18.8 – 19.16 GHz. band would be a problem requiring them to be relocated. The FWCC now sees an ex parte filing expressing grave concern over the possibility that Teledesic may not be granted full exclusive access to that 40 MHz portion at the lower end of the upper band now heavily occupied by the FS.

Teledesic in its filing claims that because their system design requires them to operate over the full 500 MHz that the loss of 40 MHz would be significant. They state that the alternative of having to coordinate in that 40 MHz would introduce the possibility of a fully coordinated 500 MHz user terminal being "ejected" by a later deployed FS link in that 40 MHz. They go on to say that as there are currently only 340 FS links occupying spectrum in the disputed 40 MHz that they would be prepared to relocate those links. These statements raise the question of how Teledesic proposes to coexist with the 2,500 currently existing FS links in the 18.8 – 19.16 GHz band if sharing presents such a problem.

In the view of the FWCC, if Teledesic had conducted the same technical studies, that have now been done to illustrate how difficult it is to share with the incumbent FS, before they had embarked on their proposals to design a system with service links in the 18 GHz band, they would have determined that the 18 GHz band would not have been appropriate for their service links. It is only now that they have reached this conclusion resulting in their desire to further disrupt the FS. While Teledesic makes an earnest plea, it should be emphasized that terrestrial fixed microwave systems contribute substantively to supporting the U.S. economic infrastructure as well as making new competitive telecommunications systems possible.

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Noting the ex parte nature of the November 30, 1999 letters filed by Teledesic, and the lack of an opportunity for timely technical study, the Commission is urged to take the foregoing Comments into account.

Respectfully submitted,

FIXED WIRELESS COMMUNICATIONS
COALITION

By: Leonard Robert Raish
Leonard Robert Raish
Its Co-Chairman

LRR:cej

cc: Mr. Julius Knapp (OET)
Mr. Thomas Derenge (OET)
Mr. Thomas Stanley (WTB)