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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Part 2 of the Commission's)
Rules to Allocate Additional Spectrum to the)
Inter-Satellite, Fixed, and Mobile Services)
and to Permit Unlicensed Devices to Use)
Certain Segments in the 50.2-50.4 GHz and)
51.4-71.0 GHz Bands)

ET Docket No. 99-261

To: The Commission

**COMMENTS OF
FIXED WIRELESS COMMUNICATIONS COALITION**

The Fixed Wireless Communications Coalition ("FWCC")¹ hereby submits Comments in the above-captioned Notice of Proposed Rulemaking ("Notice") in this proceeding. In the Comments below, the FWCC supports and applauds the Commission's proposals with one exception as regards the 55.78-59.00 GHz band.

As pointed out in the Notice, U.S. proposals for the 50.2-50.4 GHz and 51.4-71.0 GHz bands were adopted in July 1997 and forwarded to WRC-97 held later that year for consideration. WRC-97 adopted the aforementioned U.S. proposals. The FWCC notes by this proceeding the Commission proposes implementation of that portion of

¹The FWCC is a coalition of equipment manufacturers and users interested in terrestrial fixed microwave communications. Its membership includes manufacturers of microwave equipment, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. Its membership also includes railroads, the broadcast industry, and their respective associations, telecommunications carriers, landline and wireless, local and interexchange carriers, and others. A list of members is included in Attachment A.

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the Final Acts, WRC-97 dealing with the cited matter. The Notice sets forth proposals of direct interest to the Coalition and to the users of the terrestrial fixed services generally.

The Notice proposes a net gain of 2.27 GHz of spectrum for the Fixed Service. The FWCC supports the initiative to allocate additional spectrum in bands that the fixed service requires for last mile applications. It has been recognized for some time that sharing between the fixed service and other services has created serious problems. Where possible the Fixed Service requires spectrum without constraints as proposed in this NPRM. ITU-R studies on sharing of spectrum between fixed services and passive sensors have concluded the fixed service could operate above 55.78 GHz without constraint. The FWCC has no objection to this conclusion and the further conclusion that below 55.78 GHz passive sensors shall remain co-primary. In sum, passive sensors are given exclusive spectrum in 50.2 - 50.4 GHz and 54.25 - 55.78 GHz; the fixed service is allocated unconstrained spectrum in 51.4 - 52.6 GHz, 55.78 - 59 GHz and 64 - 66 GHz bands.

Comment is requested in the Notice on whether Footnote S5.547 of the ITU Radio Regulations should be adopted domestically.² This would provide spectrum availability for the High Density Fixed Service (HDFS) in the bands 31.8 - 33.4 GHz, 51.4 - 52.6 GHz, 55.78 - 59 GHz and 64 - 66 GHz. The Notice² also states these bands should not be allocated for mobile services. The FWCC urges adoption by the Commission of Footnote S5.547 for domestic use. Sharing between fixed and mobile is practically impossible hence the aforementioned bands should not be allocated for

²See Notice at Para. 14.

mobile service for that reason. The HDFS has been identified in the ITU Radio Regulations with these bands to address specifically the needs of the IMT-2000 systems. As seen by the FWCC, it is important for the Commission to protect these bands for fixed use to meet the requirements of future mobile services. It is often overlooked that the fixed and mobile services compliment one another. Additionally in the interests of global harmonization it is important that the FCC adopt domestically spectrum allocations made internationally for the fixed service.

The Notice mentions the European Radiocommunications Committee (ERC) has allocated the 57 - 59 GHz band for unlicensed HDFS. It is understood that the FCC is anticipating unlicensed use by PCS cellular for base station interconnectivity. The FWCC questions the desirability of operating base station interconnectivity on such an unlicensed basis. It is highly unlikely that mobile base station interconnectivity can be achieved using unregulated spectrum. The fixed service is primarily used to provide the backbone infrastructure for mobile systems with frequencies assigned according to a predicted propagation availability objective (typically 99.99%). Additional outages due to co-channel and adjacent channel interference would be unacceptable for such services. It should be noted that in Europe, all base station interconnectivity deploying fixed links for use in mobile networks are deployed in licensed spectrum. The FCC should not therefore rule out deployment of fixed links for use in mobile or CLEC networks in licensed spectrum.

The Notice also seeks comment³ on whether the 55.78 - 57.00 GHz band should be made available for unlicensed devices or for licensed fixed and mobile services. The FWCC urges in the strongest terms the 55.78 - 57.00 GHz band be maintained as a licensed band for the fixed and mobile services. The nature of the applications for the use of this band as suggested by the Notice would be greater if it was a licensed band. As already stated above, backbone infrastructure for mobile services require a high degree of stability and availability that would not occur if the band was allocated for unlicensed usage. Finally, there is the matter of the introduction of the new Competitive Local Exchange Carriers (CLECs) which will require access to spectrum to bypass the incumbent operator's infrastructure in the local loop. This type of operation cannot be conducted in an unlicensed spectrum environment either.

In conclusion, the FWCC

- (a) Applauds the Commission for its proposals implementing the results of the Final Acts of WRC-97.
- (b) Urges adoption of the Footnote S5.547.
- (c) Has no objection to passive sensors remaining co-primary in the bands below 55.78 GHz.
- (d) Concurs with the unconstrained allocation of the 31.8 - 33.4, 51.4 - 52.6, and 55.78 - 59.0 GHz bands to the fixed service.

³See Notice at Para. 17.

- (e) Objects strongly to designation of the 55.78 - 59.0 GHz band as an unlicensed band because the intended fixed service usage requires a reliability factor not attainable in an unlicensed band.\

Respectfully submitted,

FIXED WIRELESS COMMUNICATIONS
COALITION

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FIXED WIRELESS COMMUNICATIONS COALITION

The Fixed Wireless Communications Coalition was formed by terrestrial fixed microwave users and suppliers to assure that adequate spectrum resources are available for current and future terrestrial fixed microwave communications. Such action is necessary because spectrum allocation and re-allocation actions currently under consideration at the FCC require fixed microwave interests to speak with a common voice. Additionally, the Coalition was formed to ensure a favorable regulatory climate both at the FCC and the ITU to permit the manufacture, operation, and use of terrestrial fixed microwave systems.

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August 26, 1999

CERTIFICATE OF SERVICE

I, Andrew Kreig, do hereby certify that copies of the "Comments"

were sent this 21st day of September, 1999, by Hand Delivery, to:

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