

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of

FiberTower, Inc., Request for Waiver of
Part 101 of the Commission's Rules to
Permit the Use of Two-Foot Antennas in the
10.7-11.7 GHz Fixed Service Band

DA 05-114

**COMMENTS OF THE
FIXED WIRELESS COMMUNICATIONS COALITION**

The Fixed Wireless Communications Coalition (FWCC) strongly supports the Petition of FiberTower, Inc. for Waiver of Sections 101.115 and 101.31(b)(iii) of the Commission's Rules.*

FiberTower asked the Commission to grant a waiver allowing the use of 2-foot Fixed Service antennas in the 10.7-11.7 GHz band. Noting that a 2-foot antenna entails only 1/3 the cost and 1/4 the weight of a 4-foot antenna, FiberTower sees several advantages:

- lower costs of providing, installing, and maintaining 11 GHz links (and hence, lower costs to end users);
- newly feasible installations at locations otherwise impractical for broadband radio;

* These comments respond to *Wireless Telecommunications Bureau Seeks Comment on Fibertower, Inc. Request for Waiver of Sections 101.103 and 101.115 of the Commission's Rules to Permit the Use of 0.61 Meter Antennas in the 10.7-11.7 GHz Band*, DA 05-114 (released Jan. 19, 2005). 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, and/or their respective associations, landline and wireless, local, and interexchange 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.

- expanded backhaul capacity needed for Broadband over Power Lines, fiber-to-the-curb, and Advanced Wireless Services;
- new competition with fiber and other modes of broadband delivery;
- improved service for:
 - local broadband backhaul,
 - wireless local loop and T-1 transport,
 - broadband Internet access for schools, businesses, and apartment buildings,
 - interconnection of industrial campuses for LANs and PBXs; and
- better esthetic acceptance than large antennas.

The only plausible downside of small antennas could be difficulty in frequency coordination due to the somewhat broader beam pattern. FiberTower has effectively addressed this concern with a proposed rule that shifts any coordination disadvantage to the small antenna user. This makes a licensee's use of a small antenna transparent to other users of the band, whether Fixed Service or Fixed Satellite Service.

A rule change to permit small antennas is presently under consideration in docket RM-11043. FiberTower states that its waiver request is for the pendency of that rulemaking and subject to its outcome. FiberTower's proposal would make small-antenna licensees subject to the risk that the Commission may ultimately disapprove 2-foot antennas, in which event licensees may have to retrofit or remove them. Moreover, FiberTower proposes to include these conditions in all customer contracts that entail the use of waived antennas. This will eliminate any doubts that licensees are under an enforceable legal obligation to comply with the results of the rulemaking, whatever they turn out to be.

The FWCC agrees with FiberTower that the industry needs access to small antennas now. FiberTower's proposed coordination rules and commitment to retrofit, if necessary, together eliminate any downside risk to the Commission or to the public from prompt approval of the waiver. With these conditions in place, there is no advantage in waiting the additional 1-2 years a rulemaking will require.

Because the waiver will bring immediate benefits to the public while placing all of its costs on the users of small antennas, the waiver is in the public interest. The Commission should grant it expeditiously.

Respectfully submitted,

/s/

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