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May 8, 1992

Ms Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: ET Docket No. 92-9
RM-7981

Dear Ms Searcy:

On May 6-7, 1992, representatives of Alcatel Network Systems, Inc. ("ANS"), and ANS' undersigned attorney, participated in ex parte meetings with Mr. Fred Thomas, OET; Ms Cecily Holiday, Chief of the Common Carrier Bureau Satellite Radio Branch and members of her staff; and with Mr. Wendall R. Harris, Assistant Common Carrier Bureau Chief, International. Pursuant to Section 1.1206 of the Commission's Rules, ANS hereby submits this memorandum summarizing the data and arguments presented in these meetings.

The above-referenced proceedings involve Commission proposals to reallocate spectrum in the 2 GHz band for emerging telecommunications technologies and to migrate incumbent fixed microwave users in this band to other bands above 3 GHz. To accommodate the displaced 2 GHz fixed microwave users, and apparently to accommodate prospective fixed microwave users interested in applying for authority to operate on the 2 GHz band, the Commission proposes various measures: (a) a blanket waiver of the eligibility requirements to use bands above 3 GHz; (b) a transition period before fixed microwave users are foreclosed from using the 2 GHz band on a primary basis; and (c) compensation for the displaced licensees.

ANS is concerned that the Commission is acting prematurely. Fixed microwave users provide crucial telecommunications services to utilities, railroads, petroleum companies, and other businesses. Their proposed migration off the 2 GHz band will disrupt service and impede technological advances in services and equipment. Thus, the Commission must not require migration of fixed microwave users off the 2 GHz band until it adopts specific rules governing their provision of service in other bands that are compatible with current operations.

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Unfortunately, in ET Docket 92-9, the Commission fails to address the needs of the fixed microwave users. No rules are proposed to govern their operation in other bands. Such rules would include provisions for private and common carrier eligibility, channelization, bandwidth capacity, co-primary use of all available bands by private and common carriers, channel loading, and path length requirements.

ANS is preparing a Petition for Rule Making that proposes these necessary rules. To ensure the continued availability of critical fixed microwave services and to optimize spectral efficiency, ANS anticipates proposing the following in this Petition:

- Reallocation of the lower 6 GHz common carrier band (i.e., 5.925-6.425 GHz) so private and common carriers could use it on a co-primary basis. Of the eight 30 MHz channel pairs in this band, two pairs would be used primarily for medium capacity traffic and six pairs would be used for high capacity traffic. In addition, a 15 MHz center gap and two 5 MHz guard bands at both ends of the band could be channelized for low capacity traffic.
- Reallocation of the upper 6 GHz private operational fixed band (i.e., 6.525 to 6.875 GHz) so private and common carriers could use it on a co-primary basis. Existing 800 KHz channels at band edges would be subdivided into 400 KHz channels and 5 MHz channels would be subdivided into 1.6 MHz channels.
- Reallocation of the 4 GHz common carrier band (i.e., 3.6-4.2 GHz) so private and common carriers could use it on a co-primary basis for medium and low capacity traffic.
- To provide additional spectrum in case there is inadequate capacity in the 4 and 6 GHz bands, reallocation of the 10 and 11 GHz bands so private and common carriers could use them on a co-primary basis.
- Specific amendments to Parts 21 and 94 to accommodate this reallocation.

Sincerely,



Robert J. Miller

cc: **Mr. Fred Thomas, OET**
Ms Cecily Holiday, Satellite Radio Branch, Common Carrier Bureau
Mr. Wendall Harris, Common Carrier Bureau

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