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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

ALCATEL NETWORK SYSTEMS, INC.

Amendment of Parts 2, 21,
25, and 94 of the
Commission's Rules to
Accommodate Common Carrier
and Private Op-Fixed
Microwave Systems in Bands
Above 3 GHz

Docket Number RM-8004

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Federal Communications Commission
Office of the Secretary

STATEMENT IN OPPOSITION
OF
NATIONAL PUBLIC RADIO, INC.

National Public Radio, Inc. ("NPR") hereby submits this statement in opposition to the petition for rulemaking (the "Petition") filed by Alcatel Network Systems, Inc. ("Alcatel") in this matter. NPR opposes certain aspects of the Petition which propose to amend Part 25 of the Commission's Rules and the channelization of the Common Carrier 3.7 - 4.2 GHz band.

NPR is a nonprofit, noncommercial organization which provides programming and interconnection services to approximately 450 full-service public radio stations and represents them in developing and maintaining a viable and diverse public radio service for the American public. NPR manages the Public Radio Satellite Interconnection System ("PRISIS") which is the primary artery for satellite distribution of public radio programming in the United States. In that capacity, NPR leases two C-band transponders on Galaxy VI, a satellite owned by Hughes Communication

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transponders on the Galaxy IV(H) satellite have been purchased to replace the leased capacity on Galaxy VI at the 99° W.L. orbital location in early 1993. NPR manages the PRSIS for the benefit of participating public radio stations under a contract with the Corporation for Public Broadcasting.

The PRSIS currently consists of 339 receive earth terminals located at public radio stations serving all fifty states as well as twenty-two transmit-capable earth terminals which permit immediate access to the PRSIS from widely diverse geographic locations. The vast majority of the receive-only earth terminals and all of the transmit-capable earth terminals in the PRSIS have been frequency-coordinated, and licensed or registered, as appropriate, by the Commission.

Alcatel's Petition is based on a Notice of Proposed Rule Making¹ ("NPRM") proposing that 220 MHz of spectrum between 1.85 and 2.20 GHz be reallocated for emerging telecommunications technologies. Among the many Alcatel suggestions is a proposal that the Commission amend Part 25 of its rules to accommodate some fixed microwave services in the 3.7 to 4.2 GHz band which would be displaced under the proposed reallocation scheme.

NPR does not oppose the accommodation of displaced 2 GHz users in these frequency bands so long as the current channelization is maintained and frequency coordination is accomplished using current industry standards. NPR disagrees with Alcatel's assertion that frequency "coordination with earth

¹ET Docket No. 92-9 (1992)

terminal users has been highly problematic and relatively ineffective.²" Our experience has been that frequency coordination is a straightforward process with well-defined standards and procedures and does not impose an undue hardship on a party attempting to coordinate a site.

Alcatel requests that 80 MHz of space-to-earth bandwidth in the 4 GHz band be "allocated on a primary basis for point-to-point microwave and on a secondary basis for satellite operation. This reallocation would promote favorable frequency coordination between the fixed microwave and earth station users on this band."³ This suggestion is not only contradictory as it relates to Alcatel's alleged difficulty with frequency coordination, but is also self-serving as it promotes the interests of microwave operators at the expense of satellite users. It also has the effect of placing the complementary earth-to-space frequencies in the lower 6 GHz band in a secondary priority status for satellite users. Adoption of this suggestion would have the effect of removing from use a total of 160 MHz of bandwidth which is presently available to satellite users.

One of the transponders that NPR presently leases on Galaxy VI and one of the transponders that has been purchased for future PRSIS use on Galaxy IV(H) utilize frequencies (3700-3740 MHz) that Alcatel has suggested be placed into the secondary

²Petition at 19.

³Ibid.

priority classification⁴. While the Petition suggests that the proposed rule change to Section 25.202(a)(1) would not take effect until the year 2007, there is a clear expectation on Alcatel's part that microwave users would commence use of those frequencies prior to that date⁵.

Moreover, Alcatel's assertion that there is a migration of satellite users from the 4 GHz C-band to the 11 GHz Ku-band simply is not correct. The 4 GHz satellite band is particularly well-suited for a variety of uses, and the demand for additional C-band transponders has not diminished. Indeed, based on orders for replacement capacity, at least four satellite operators are planning replacement of their C-band transponder inventory as existing satellites reach their end-of-life. The PRSIS has selected C-band frequencies for distribution of public radio programming because only C-band satellites are able to simultaneously cover all 50 states and provide service that is relatively impervious to precipitation fade. In addition, the expense involved in converting 339 downlinks and 22 uplinks from C-band to Ku-band operation would not be "nominal" as asserted by Alcatel⁶.

The rechannelization of the 3700-3740 and 4160-4200 MHz bands would also cause substantial hardship to the PRSIS if these proposals were to be adopted. The PRSIS utilizes single-channel-

⁴Alcatel Attachment 1, Section 4.1.1 at pages 41 & 42

⁵Alcatel Attachment 1, Section 3.3.5 at pages 23 & 24

⁶Ibid.

per-carrier ("SCPC") transmission technology in order to provide maximum flexibility for its users. This can result in signal levels being received from the satellite at some downlink stations that are lower than the signal levels received from terrestrial microwave transmitters. The frequency plan utilized by the PRSIS accommodates the existing 20 MHz channel spacing of the terrestrial microwave service by providing guard bands at ± 10 MHz from transponder centers, allowing a peaceful coexistence between the two services. Alcatel's proposal to introduce 10 and 5 MHz alternate channel spacing⁷ would effectively make satellite communications using SCPC technology impossible on the affected transponders, since the required guard bands would occupy more bandwidth than the remaining usable spectrum.

Alcatel has seized the opportunity offered by the NPRM which proposes the displacement of 220 MHz of spectrum at 2 GHz to make a request for an additional 410 MHz of spectrum for the Common Carrier Service and an additional 2120 MHz of spectrum for the Private Radio Service⁸, some of which would be shared by the two services. While not commenting on the merits of Common Carrier and Private Radio's requirements for additional spectrum, it appears that the disruption to users of the PRSIS and the satellite industry that would be caused by the proposed reallocation of 80 MHz in the 3.7-4.2 GHz band far outweighs the potential benefits to the microwave users. In light of the

⁷Alcatel Attachment 1, Sections 3.3.1 and 3.3.2 at page 19

⁸Alcatel Attachment 1, Table 1 at page 8

extensive additional bandwidth requested by Alcatel for microwave users, there would certainly seem to be sufficient spectrum available elsewhere within that request that could be utilized without disrupting existing satellite services.

The Petition's proposed changes to Part 25 of the Commission's Rules and to the channelization of the 3.7 to 4.2 GHz band would severely disrupt distribution of public radio programming across the United States. Accordingly, NPR urges the Commission to dismiss those portions of Alcatel's Petition.

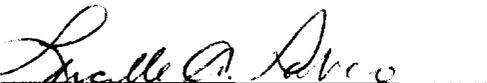
Respectfully submitted,

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