

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

In the Matter of:)	
)	
Spectrum Horizons)	ET Docket #18-21
)	
and,)	
)	
James Edwin Whedbee Petition for Rulemaking)	RM-11795
to Allow Unlicensed Operation in the 95 to 1000)	
GHz Band.)	

To the Commission:

**INFORMAL REQUEST TO
FILE REPLY COMMENT OUT OF TIME AND REPLY COMMENTS**

COMES NOW the Petitioner, JAMES EDWIN WHEDBEE, who pursuant to Section 1.41 of the Commission's rules requests permission to file his Reply Comments out of time, and if so permitted, to incorporate into the Commission's records the Reply Comments submitted concurrent herewith.

PART ONE – GROUNDS AND BASES FOR INFORMAL REQUEST

[1] Petitioner filed his Petition for Rulemaking in 2013.

[2] The Commission's decision to partially grant that Petition came as a surprise to Petition, having only just learned of the Commission's actions. Nobody communicated the Commission's decision to Petitioner.

[3] Time to read the comments and reply comments already filed was necessary to formulate anything approximating an intelligent response.

[4] Had the Petitioner been aware of these proceedings at the time those commenced, he would have filed comments and reply comments; however, coming late to this proceeding, request is hereby made to have the following Reply Comments made part of this proceeding.

WHEREFORE, Petitioner respectfully prays the Commission's incorporation of the following Reply Comments into the record.

PART TWO – REPLY COMMENTS

[1] GENERALLY. Petitioner incorporates paragraphs one, two, three, and four of the within and foregoing Part One herein by reference as if fully set out hereinbelow. For reason that the Petitioner is coming late to this proceeding, what follows by way of Reply Comments constitutes a synthesis response to all the Comments and Reply Comments filed to date in these proceedings. Such Reply Comments are generally applicable to the entire record, regardless of which party may have

initiated the subject matter contained in this response. To be totally clear, in regards to ALL uses of the spectrum above 95 GHz, I am not married to any ideas; accordingly, I genuinely enjoyed and agree with most of the Commenters and Reply Commenters who urged some form of adoption of the Commission's proposed rules; I agree entirely with what the Commission wants to do and urge its immediate adoption – as a near-term decision – leaving open these proceedings to allow for future developments, as discussed below.

[2] ON THE SUBJECT OF CREATING SERVICE RULES AND EXPERIMENTAL LICENSES. Petitioner concurs in the approach the Commission has taken as well as the views of most Commenters/Reply Commenters. In particular, I hope the Commission will adopt a position, regardless of the nature of the licenses issued, of maximum flexibility, minimal regulatory burden, and modifiability in the licensing schemas. Inasmuch as nascent technologies lead to a profitable business sector, I pray the Commission does as much as is humanly possible within the context of this proceeding to preserve adaptability by licensees so that development may continue.

[3] ON THE SUBJECT OF UNLICENSED OPERATIONS PURSUANT TO PART 15. I agree with the views of the Commenters and Reply Commenters that Part 15 operations ought not be restricted to indoor use only. To be clear, indoor use was proposed by me in connection with protected bands intended for passive space research. All other bands above 95 GHz ought to permit indoor and outdoor Part 15 operation at the transmission levels proposed by the Commission. On that subject (of the Commission's proposal), I also agree with the views of the majority of Commenters/Reply Commenters that, while the Commission's proposal is a good beginning in terms of spectrum availability, it is insufficient to truly foster development of these bands. I would sincerely appreciate the Commission taking a harder look at the unique opportunities pencil-beam signal propagation allows in terms of Part 15 transmissions, as I believe more spectrum ought to be considered for availability. Whatever the ultimate outcome of this proceeding or any further proceedings in its aftermath, I know that – due to the unique propagation characteristics of these frequency bands – unlicensed and licensed operations can harmoniously exist and flourish.

WHEREFORE, I respectfully urge the Commission's adoption of its proposed regulations as well as respectfully requesting a further Notice of Proposed Rulemaking to enlarge the unlicensed bands in a manner from which consensus develops.

Respectfully Submitted:

June 8, 2018

/s./ James Edwin Whedbee

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