In the Matter of )

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Wireless Telecommunications Bureau and ) GN Docket No. 12-354

Office of Engineering and Technology Seek ) RM-11788

Comment on Petitions for Rulemaking ) RM-11789

Regarding the Citizens Broadband Radio Service)

To: Chief, Wireless Telecommunications Bureau

Chief, Office of Engineering and Technology

I am writing on behalf of our company, New Wave Net Corp. (NWNC) in opposition to the petitions filed by T-mobile and CTIA regarding changing the FCC's innovative Citizens Broadband Radio Service into another band monopolized by large cell companies that don’t care about providing affordable broadband to rural America.

NWNC is a Wireless Internet Service provider (WISP) based in Central Illinois, providing high-speed Internet services to approx 500 mostly residential customers in rural areas. The majority of these customers have only the option of fixed wireless Internet from a WISP or Satellite based Internet which has data caps that make it too expensive for many families. DSL and the mobile cellular carriers have chosen not to invest in most of the low density rural areas we serve.

Historically we have offered speed plans from 4 -10 Mbps, but this year have been investing our own capital in upgrading our base stations to support 25 Mbps speeds to meet the FCC new definition of broadband.

We have been a long time NN 3650-3700 licensee and early on had invested over 100K in Wimax equipment to serve non-Line of site customers. When the FCC announced the creation of the CBRS band and adding an additional 100 Mhz of spectrum with the possibility to bid and obtain interference free PALs we were pleased that the FCC was finally giving us the tools we need to increase speed and capacity to our NLOS rural customers. Based on the FCC’s announced rules we have already spent over 100K in the last year upgrading our 3650 Wimax base stations to LTE gear that is software upgradeable to work with the SAS.

So the proposals by T-Mobile and CTIA this late in the game are very troubling to a local service provider that has invested heavily in this band. First the idea of changing from census tracts to huge PEAs is especially troubling for small local providers like us as well as other potential users like local school districts or governments for private networks. Please leave the defined areas at the smaller census tract level to change them to large areas that encompass multiple cities will make PALs unaffordable for smaller operators and really removes the “citizen” aspect from CBRS. Second the idea of also including 3650-3700 in the PAL allocation and letting each PAL bidder buy 50 Mhz wide blocks of spectrum, could effectively eliminate all the legacy NN/GAA users currently in the spectrum. When the FCC recently auctioned the TV bands it at least had a plan for relocating the current licensed users at the new winning bidder’s expense. T-mobile‘s proposal is silent on where to relocate current 3650-3700 users and how operators in that band would be compensated for the expenses in relocating if the entire 150 Mhz of the band became PAL. To not find a solution for continuing to be able to provide service for current NN 3750 users would result in 100’s of our rural customers losing their only option for fast affordable Internet service!

The only part of the T-mobile proposal that I would support would be to increase the term of PALs to more than 3 years. However my preference would be 5 yrs instead of 10.

In conclusion I would encourage the FCC to stop T-Mobile’s attempt to kill the Citizens Broadband service at this late stage in the process when thousands of operators like us have already made and continue to make millions of dollars in private capital investment based on the FCC previously published rules for this band.

Garth Nicholas

CFO

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