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

In the Matter of	
Advanced Television Systems and Their Impact on the Existing Television Broadcast Service	MM Docket No. 87-268
Review of Technical and Operational Requirements: Part 73-E. Television Broadcast Stations	
Reevaluation of the UHF Television Channel and Distance Separation Requirements of Part 73 of the Commission's Rules	

To: The Commission

REPLY COMMENTS OF THE WIRELESS CABLE ASSOCIATION, INC.

The Wireless Cable Association Inc., ("WCA") files these Reply Comments in response to the Notice of Inquiry issued by the Commission in the above-captioned proceeding.1/

I. Introduction

WCA is a trade association of firms that are providing or intend to provide programming through one or a combination of the following services: multi-point distribution service ("MDS"), multi-channel multi-point distribution service ("MMDS"), instructional fixed television service ("IFTS"), and operational fixed service ("OFS"), as

1/ Advanced Television Systems, Notice of Inquiry, FCC 87-246, released August 20, 1987 (NOI). The NOI required that reply comments be filed by January 19, 1988. Therefore, these comments are timely filed.

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well as firms that supply equipment to such programmers. By combining the channels available to these services, wireless cable operators have up to 33 channels available for microwave transmission of over-the-air pay television. In addition to television services, wireless cable operators may offer data transmission, private video and/or audio distribution, and paging services.

Because many wireless cable operators have elected to provide services designed to compete with wired cable systems in their markets, it is important to them that the Commission's ATV policies provide wireless cable the ability to remain competitive with wired cable. Yet, because other WCA members provide services that must be compatible with broadcast television, it is equally important the wireless cable be permitted the flexibility to choose between systems if different standards develop for broadcast and cable. WCA objects to any proposal that would take away any spectrum already allocated to its members.

WCA offers the following comments on questions raised in the NOI that relate to the concerns identified above.

II. Responses to Specific Questions

Question No. 1: ATV Evaluation Criteria and Tradeoffs

As the National Cable Television Association, Inc. ("NCTA") noted in its Initial Comments, the Commission should, in comparing and evaluating the various ATV technologies, consider the needs of all video distribution

systems. NCTA Initial Comments at 3. The effect on wireless cable programmers and equipment suppliers, as well as on broadcast, cable, and satellite programmers and equipment suppliers, should be considered.

The wireless cable industry is becoming a viable competitor of broadcast and cable television systems and is optimistic that advanced television can increase competitiveness among the various media. As the National Telecommunications and Information Administration ("NTIA") noted in its Initial Comments, competitiveness in the video market place "has paid important public dividends such as more choices, more convenience, and greater ease of use." NTIA Initial Comments at 4. If the competition is to continue or increase, the Commission cannot allow technological advantages to some competitors in the market-place. Id. To remain economically viable, wireless cable programmers must be able to offer a variety of programming comparable to that offered by cable programmers. Therefore, if an ATV system is adopted for any technology that requires a bandwidth greater than 6 MHz, the bandwidth requirements for wireless cable services should be expanded and the Commission should add additional spectrum to allow wireless cable operators to continue to offer the amount of programming they now offer.

In the past, the Commission has accorded wireless cable operators a great deal of regulatory flexibility. Essentially, each wireless cable system has been allowed to

use its spectrum to provide those services it chooses. WCA urges the Commission to continue this policy of regulatory flexibility. If different ATV technologies develop for different video systems, WCA urges the Commission to promulgate regulations for wireless cable flexible enough to allow each system to employ the technology it chooses.

Question No. 10: Non-broadcast Spectrum Allocation

Commenters in the initial pleading round did not advocate accommodating broadcast ATV in the 2.5 to 2.69 GHz spectrum band. WCA vigorously opposes both any reallocation of this spectrum and any sharing of it with broadcast ATV. In order to be a vital competitive force in the video marketplace, wireless cable programmers must have sufficient spectrum to provide a variety of programs comparable to the variety provided by cable systems. Therefore, wireless cable operators should not be deprived of their existing spectrum.2/

If the Commission decides that VHF/UHF ATV should use a bandwidth wider than 6 MHz, WCA believes the additional spectrum should be created by altering the existing UHF taboos and reallocating among broadcasters the spectrum in the VHF and UHF bands.3/

2/ As discussed above, if an ATV system that requires bandwidth wider than 6 MHz is implemented, WCA urges the Commission to allocate additional spectrum to MDS, MMDS, IFTS, and OTS. See supra p. 3.

3/ If the Commission adopts a broadcast ATV system that requires only a 6 MHz channel but that does not provide as high quality television as a cable operator could provide, in order to be competitive with cable, wireless

Question No. 14: Technical Problems with Implementation of a Terrestrial ATV Service at 2.5 GHz.

A number of comments in the initial round noted technical problems with using the 2.5 GHz band for broadcast transmission.[4/] WCA shares the view of these commenters that the technical characteristics of the 2.5 to 2.69 GHz band may make broadcast transmission over that band technically infeasible. Broadcasters must be able to deliver an ATV signal to virtually every site at which the regular broadcast signal is received. Under certain topographical conditions, universal reception of microwave transmissions in the 2.5 to 2.69 GHz band may not be possible. Wireless cable operators are able to use the spectrum band effectively because they offer a subscription service that can be tailored to compensate for reception problems. For example, a wireless cable operator may provide wired service to areas where over-the-air microwave transmissions cannot be received. Through a combination of wireless and wired service, a WCA member can

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cable operators should be granted the flexibility to offer a system as high quality as that provide by cable. See supra pp. 2-4 and infra p. 6.

4/ See Initial Comments of David Sarnoff Research Center, Inc. at 16; Initial Comments of the Association of Maximum Service Telecasters at 43-45; Initial Comments of VIACOM International Inc. at 5; Initial Comments of the New York Institute of Technology Science and Technology Research Center at 18; Initial Comments of Isaac Blonder of Blonder Tongue Laboratories at 1; see also Initial Comments of National Broadcasting Co., Inc. at 15-18 (noting innumerable technical and practical uncertainties); Initial Comments of Zenith Electronics Corp. at 10 (noting many unknowns); Initial Comments of CBS, Inc. at 26 ("it cannot yet be known whether '[i]t is worthwhile to pursue [broadcast] ATV at both UHF and microwave.'") (quoting NOI at ¶53).

provide programming to an entire service area. Because broadcasters are unable to tailor their service in this way and because the public interest would be disserved by creating pockets in which broadcast ATV could not be received, spectrum within the 2.5 to 2.69 GHz band should not be allocated for broadcast ATV.

Question No. 23: Effect on Overall Quality, Quantity and Value of Video Programming to American Viewers.

The advent of ATV provides an opportunity to increase competition in the video marketplace. This increase in competition will provide American viewers with the opportunity to choose the video service that best suits their individual needs. Allowing individual choice will increase value to the viewer. In addition, the operation of market forces should result in an increase in value to the viewer.

In order to ensure quantity, quality and value to the American viewer, the Commission should continue to consider the needs of all video technologies in developing and selecting an ATV system.5/

CONCLUSION

WCA does not recommend adoption of any particular ATV technology at this time. Rather, WCA urges the Commission in considering the various proposals to keep in mind the needs of wireless cable system operators and the

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5/ See Initial comments of Capital Cities/ABC, Inc. at 2.

importance of preserving (and increasing) competition from wireless cable operators in the video marketplace.

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Respectfully Submitted,

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