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September 25, 2017

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *WiMAX Forum Petition Proposing Rules for the Aeronautical Mobile
Airport Communication System, RM-11793*

Dear Ms. Dortch:

On September 21, 2017, Declan Byrne of WiMAX Forum, and Paul Sinderbrand, Mark Settle, and the undersigned of Wilkinson Barker Knauer, LLP, counsel to the WiMAX Forum, met with Donald Stockdale, Dana Shaffer, Charles Mathias, Aalok Mehta, and Scot Stone of the Wireless Telecommunications Bureau and Ron Repasi of the Office of Engineering and Technology to discuss the above-listed proceeding. On the same day, Mr. Byrne, Mr. Sinderbrand and the undersigned met separately with Rachael Bender, Legal Advisor to Chairman Ajit Pai, and Kevin Holmes, Acting Legal Advisor to Commissioner Brendan Carr, to discuss the above-listed proceeding.

During the meetings, the WiMAX Forum described the momentum that continues to build for AeroMACS, both domestically and internationally. The WiMAX Forum summarized the technical standards for AeroMACS that have been adopted by the relevant global standards organizations and the trials and deployments that are being planned and launched at an increasing frequency both domestically and abroad. To sustain this momentum, the WiMAX Forum urged the Commission to adopt a *Notice of Proposed Rulemaking* proposing service rules for AeroMACS.

The WiMAX Forum also responded to certain issues raised in the record of this proceeding. With respect to issues raised by parties representing aeronautical mobile telemetry (“AMT”) interests, the WiMAX Forum reiterated that footnote US444B(b) to the U.S. Table of Frequency Allocations awards a priority for AeroMACS over AMT systems in the 5091-5150 MHz band. The WiMAX Forum further noted that footnote US444B(c) to the U.S. Table of Frequency Allocations states in relevant part that AeroMACS operators and AMT systems “are urged to cooperate” about planned deployments in those limited number of airports where AMT

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operations occur, and that the rules proposed in the WiMAX Forum's Petition for Rulemaking reflect this footnote, instructing that the "Channel Manager is urged to cooperate with [AMT] users in accordance with Table of [Frequency] Allocations footnote US444B(c)."¹

The WiMAX Forum also addressed an issue raised in record by Globalstar, Inc. ("Globalstar"). Specifically, Globalstar noted the importance of protections afforded to it under Recommendation ITU-R M.1827-1.² The WiMAX Forum noted that footnote US444B(a)(1) to the U.S. Table of Frequency Allocations directs AeroMACS operations in the 5091-5150 MHz band to operate "in accordance with Resolution 748 (Rev. WRC-12) (*i.e.*, AeroMACS),"³ which in turn resolves that AeroMACS operations in this band shall meet the Standards and Recommended Practices ("SARPS") requirements published in Annex 10 of the ICAO Convention on International Civil Aviation and the requirements of Recommendation ITU-R M.1827-1 referenced in Globalstar's Reply Comments.⁴ Because AeroMACS' obligations with respect to Globalstar already are reflected in the Commission's Rules, and the Channel Manager will be obligated to manage AeroMACS spectrum assignments to comply with those Rules, the WiMAX Forum did not add an extraneous reference to Recommendation ITU-R M.1827-1 in the Part 87 rules it proposed. However, to accommodate Globalstar, the WiMAX Forum would not oppose modification of proposed Section 87.606(b) to read as follows: "The AeroMACS Channel Manager will assign AeroMACS channels to eligible non-Federal entities from time to time either on an exclusive or shared basis, and manage the use of such channels, in a manner that reasonably maximizes the efficient utilization of the spectrum at each location where AeroMACS spectrum is utilized, ~~and~~ protects the spectrum from either hoarding or warehousing, and complies with footnote US444B(a)(1) of the Table of Allocations." In addition, the WiMAX Forum noted its understanding that the SARPs requirements for AeroMACS were developed in part to ensure compliance with Recommendation ITU-R M.1827-1, and that the SARPs are the basis for the technical rules proposed in the WiMAX Forum's Petition for Rulemaking.

Finally, the WiMAX Forum noted that the issues raised by both the AMT community and Globalstar further demonstrate the need for a Channel Manager to ensure on an ongoing basis the efficient and effective sharing of the spectrum.

¹ See WiMAX Forum Petition, App. A at 4-A (filed Mar. 31, 2017) (proposed Section 87.606(b)).

² See Reply Comments of Globalstar, Inc., RM-11793, at 3 (filed Sept. 5, 2017).

³ 47 CFR § 2.106, US444B(a)(1).

⁴ International Telecommunications Union, *Final Acts of WRC-12*, at 352-353, Resolution 748 (Rev. WRC-12) (2012).

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Pursuant to the Commission's rules, this notice is being filed in the above-reference docket for inclusion in the public record. Please contact me should you have any questions.

Sincerely,

/s/

Sean T. Conway

cc (via email): Donald Stockdale
Dana Shaffer
Charles Mathias
Aalok Mehta
Scot Stone
Ron Repasi
Rachael Bender
Kevin Holmes