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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of the Commission's) GEN Docket No. 90-314
Rules to Establish New Personal) ET Docket No. 92-100
Communications Services)

To: The Commission

**REPLY COMMENTS OF
HEWLETT-PACKARD COMPANY**

Hewlett-Packard Company ("Hewlett-Packard") designs and manufacturers a wide range of computer, communications, test and measurement, medical, and analytical equipment throughout the world. Hewlett-Packard's immediate interest in this proceeding is limited to the portions that deal with unlicensed User-PCS services. Hewlett-Packard also is a founding member of the Wireless Information Networks Forum ("WINForum") and supports the WINForum position in this proceeding. In these reply comments Hewlett-Packard emphasizes certain issues of particular interest.

I. User-PCS Cannot Share Spectrum with Part 94 Fixed Microwave Users.

As Hewlett-Packard and others representing a wide variety of interests, including the microwave interests, have made clear, it is not possible for User-PCS and the existing 2 GHz fixed microwave users to operate on a co-primary basis.¹ User-PCS needs the exclusive use of the unlicensed PCS spectrum, since

¹ See, e.g., Comments of Alcatel Network Systems, Inc. at 2; Comments of American Personal Communications at 19; Comments of American Petroleum Institute at 15; Comments of Ameritech at 12; Comments of Apple Computer, Inc. at 4; Comments of California Microwave, Inc. at 2; Comments of Edison Electric Institute at 4; Comments of Northern Telecom at 15-19;

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there is no workable mechanism to permit sharing between these diverse uses. Hewlett-Packard reiterates its suggestion, however, that the FCC pursue provisional authorizations at particular locations in order to accommodate the early deployment of certain User-PCS applications.

II. The Current 20 MHz Proposed Allocation for Unlicensed User-PCS is Inadequate.

Hewlett-Packard and many others disagree with the Commission's proposal to allocate only 20 MHz for unlicensed User-PCS.² Hewlett-Packard strongly believes that a minimum of 40 to 65 MHz must be allocated if wireless LAN, wireless PBX, and cordless telephones are to be accommodated in the unlicensed spectrum. In addition, the frequencies allocated for unlicensed User-PCS should be adjacent to those allocated for licensed PCS services, in order to maximize convenience and economy by allowing a single device to operate seamlessly in both environments.

Comments of Telocator at 20; Comments of the Utilities Telecommunications Council at 17-18; Comments of Xircom Corp. at 6.

² See, e.g., Comments of AT&T at 14-15 (FCC should allocate 65 MHz for unlicensed operations); Comments of Andrew Corp. at 6-9 (Commission should allocate 40 MHz for unlicensed PCS); Comments of Apple Computer, Inc. at 2, 3 (User-PCS requires an immediate allocation of 20 to 45 MHz more than the FCC has proposed); Comments of California Microwave, Inc. at 2 (user-PCS requires up to 200 MHz to provide quality service to a reasonable portion of potential subscribers); Comments of Ericsson Corp. at 20-22 (FCC should allocate additional 15 MHz in the 1895-1910 MHz band for unlicensed PCS); Comments of Interdigital Communications Corp. at 10 (allocation for unlicensed PCS should be increased to 40 MHz); Comments of Knowledge Implementations, Inc. at 4 (FCC should allocate additional spectrum in the 1850-1865 and 1930-1945 MHz bands for data transfer PCS services); Comments of Northern Telecom at 22 (recommends initial allocation of 35 MHz for unlicensed band); Comments of Rolm at 16-19 (current allocation is "woefully inadequate"); Comments of Rose Communications, Inc. at 3-7 (current allocation for unlicensed PCS is insufficient); Comments of the South Carolina Telephone Association at 3 (additional 20 MHz should be allocated for unlicensed wideband PCS applications, and 20 MHz for unlicensed narrowband PCS applications); Comments of Teknekron Communications Systems, Inc. at 2 (current allocation is inadequate); Comments of United States Telephone Assoc. at 31 (FCC should allocate additional spectrum for unlicensed narrowband applications); Comments of Xircom Corp. at 2 (current allocation is inadequate).

III. The Commission Should Rely on Industry Members to Assist in the Establishment of Unlicensed User-PCS Service Rules.

As stated in Hewlett-Packard's initial comments, a group composed of industry members is best situated to establishing an "etiquette" for using the allocated frequencies and to manage and fund the relocation of incumbent 2 GHz users.³ Accordingly, Hewlett-Packard urges the Commission to constitute the WINForum as a formal industry advisory committee, incorporate the etiquette created by this group into its Rules, and enforce these Rules through its equipment authorization process.

IV. Conclusion.

The Commission should move quickly to allocate sufficient spectrum for unlicensed User-PCS on an exclusive basis and to adopt rules to enforce an industry-adopted sharing etiquette . In this way, the Commission will give companies poised to provide User-PCS services the certainty they need to make

³ Several parties endorsed the idea of using an industry group to develop industry standards and oversee the relocation of 2 GHz microwave facilities. *See, e.g.*, Comments of AT&T at 13-14 (FCC should require service providers to adopt operational rules and create mechanism for relocating incumbent users); Comments of California Microwave, Inc. at 3 (industry groups can create clearing house for relocation payments; WINForum can fulfill need for User-PCS technical advisory body); Comments of Hitachi Telecom (USA), Inc. at 8 (industry group could handle relocation negotiations); Comments of Hughes Network Systems, Inc. at 9 (FCC should leave development of standards to industry bodies); Comments of Metrocall of Delaware, Inc. at 20 (development of technical regulations for unlicensed PCS should be left to industry standards group); Comments of Rolm at 21-22 (PCS trade association or consortium of PCS organizations should be formed to handle transition negotiations); Comments of Telocator at 19-20, 22-24 (technical standards development should be left to industry standards groups; consortium should be created to assume relocation obligations on behalf of unlicensed industry); Comments of Xircom Corp. at 7 (WINForum and other industry groups developing standards and proposals for use of unlicensed PCS band).

the substantial investments required to develop and place into operation these dramatic new services for the benefit of the public.

Respectfully submitted,

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