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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of

Amendment of the Commission's)
Rules to Establish New Personal)
Communications Services)

GEN Docket No. 90-314
ET Docket 92-100

To: The Commission

**REPLY TO COMMENTS ON APPLE COMPUTER, INC.'S
EMERGENCY PETITION**

Hewlett-Packard Company ("HP") appreciates the opportunity to submit this Reply to Comments on the Emergency Petition of Apple Computer, Inc. ("Apple") in the above referenced proceeding.

HP CONTINUES TO SUPPORT THE COMMISSION'S SECOND REPORT AND ORDER

After review of the comments submitted to the Commission by various interested parties, HP strongly reaffirms its earlier position of support for the Commission's Second Report and Order. We continue to believe that it forms a sound basis upon which to build a strong market in single and multi-media mobile applications. HP believes that asynchronous and isochronous nomadic applications are essential for building a marketplace that meets the needs for many new forms of personal communications. Furthermore, we continue to believe that Apple's petition for bandwidth re-allocation is not the best way to achieve our shared goal of offering a marketplace of fully featured PCS devices.

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In reply to specific comments submitted by interested parties, HP respectfully makes the following assertions:

I. THE COMMISSION'S PROPOSAL FOR ASYNCHRONOUS AND ISOCHRONOUS BANDS SHOULD BE RETAINED AND SHOULD NOT BE REDEFINED AS VOICE AND DATA BANDS

Apple has used the terms "voice" and "data" as synonymous with "isochronous" and "asynchronous." We believe that this simplification is not helpful, and is potentially misleading since Apple can argue that unlicensed PCS bands be split into separate voice and data bands. In addition, Apple argues, and is supported by Compaq, that the more lightly loaded spectrum should be kept for data in order to help the market develop.

HP believes that an implication of separate voice and data bands would, in fact, hinder companies from providing consumers with the capabilities they really need and want -- fully integrated data and voice nomadic devices.

Splitting the band between data and voice would result in significantly higher development and manufacturing costs for fully integrated data and voice nomadic devices, thus potentially delaying full market development. In order to build products that accommodate separate data and voice bands, companies would have to build some form of dual mode radio system.

Ericsson and Northern Telecom also submitted comments opposing the Apple proposal

for changing the Commission's frequency allocations. Northern Telecom states that Apple's request is for one class of devices only, and should not be afforded special treatment. Both companies voice support for the Commission's decision on spectrum allocation. HP agrees with these views articulated in the Ericsson and Northern Telecom comments. We believe that the Commission's Second Report and Order strikes a balance necessary to go beyond deployment of the products envisioned by any one company, and to build a marketplace that meets the broadest possible public interest.

II. IT IS CRITICAL THAT ALLOCATION OF THE LIGHTLY LOADED SPECTRUM IN THE 1910-1930 MHZ BAND BE EQUITABLY DISTRIBUTED FOR BOTH ASYNCHRONOUS AND ISOCHRONOUS APPLICATIONS. MANY NOMADIC DEVICES REQUIRE ISOCHRONOUS COMMUNICATIONS.

Apple expresses the view that a truly nomadic ad-hoc data service is required, and that coordinated systems with base stations are not as important for data as they are for voice.

Apple uses this argument for nomadic ad-hoc data services to urge the Commission to re-visit the frequency allocations to make early deployment of nomadic devices possible. Apple also attempts to make the argument that allocating voice services to the more heavily loaded part of the spectrum will actually aid in deployment of nomadic devices. It is HP's view, however, that this argument fails to take into account a critical concept -- that all unlicensed PCS must be treated as potentially "nomadic." Attempting to draw distinctions is actually at cross purposes to achieving a PCS marketplace of integrated data and voice users.

Many of the applications of data-PCS are "face-to-face" data sharing working groups. HP shares the view that this is an important application. However, this type of application does not require the use of radio spectrum in order to operate effectively. In fact, HP believes that for ad-hoc peer-to-peer communications, other technical solutions should be employed. HP believes that short-distance infrared communications is a highly acceptable technical solution for ad-hoc networks, and will satisfy the requirements of most users.

Therefore, HP asserts that fair and equal access to the lightly loaded spectrum for nomadic isochronous systems is essential and should be encouraged.

SpectraLink Corporation, in its comments, also asserts that the terms "nomadic" and "non-nomadic," as described by Apple, are too narrow, and it encourages the Commission to maintain its existing definitions of asynchronous and isochronous. HP agrees with this view.

Apple and Compaq both note that nomadic voice applications exist. Since it would be difficult to operate voice services within the asynchronous rules, it could be construed that they, too, acknowledge that isochronous services also deserve a part of the lightly loaded band to ensure an early start to the market.

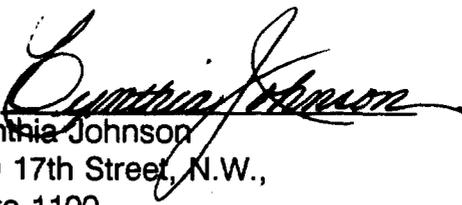
Finally, we recognize that each PCS proponent would like its favorite system to be in the

bands easiest to clear, however, we believe that this assumption, in fact, supports the fairness of the Commission's proposal to allocate 10 MHz of asynchronous and isochronous bands to lightly loaded frequencies and 10 MHz each to the more heavily loaded bands.

In summary, HP appreciates the opportunity to participate in the process to deploy the communications revolution envisioned by the Commission. HP supports the Commission's Second Report and Order. We commend the Commission for its efforts to ensure that both types of unlicensed PCS systems can benefit equally from access to the desirable 1910-1930 MHz band, and we urge the Commission to stand by its previous decision.

Respectfully submitted,

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