value to the public of nationwide access to shared Non-GSO MSS feederlink/LMDS spectrum capable of supporting higher capacity LMDS systems would dwarf by many orders of magnitude any expense to Non-GSO MSS operators. Accordingly, the Commission should require as a condition in final Non-GSO MSS system authorizations that licensees increase their feederlink EIRP to a level (e.g., +10 dB over current proposed Iridium feederlink EIRP) that equitably shares the impact of interservice sharing. The Commission should also codify LMDS power spectral density limit values that reflect the increased interference threshold that will result from increased feederlink earth station EIRP.

2. Single Entry Power Spectral Density Limits

Video/Phone readily agrees with the view that a single entry LMDS power density limit is necessary to reduce the impact on proposed Non-GSO feederlink operations from potential incidences of main beam coupling and other short term interference events. Video/Phone disagrees, however, with the proposal in the Suite 12/Motorola rule for an absolute ban on LMDS return link operations in bands shared with Non-GEO MSS feederlink operations. It is clear that if one "backbone" link per hub can be accommodated, as stipulated by Motorola, that some number of return links (with appropriate deployment and operational restrictions) could be substituted for such an allowance.

Video/Phone will continue to explore development of a recommended structure of operating limits for LMDS return links that will yield an appropriate level of protection for Non-GSO MSS feederlink spacecraft receivers.

III. The Work of The 28 GHz NRMC Forms a Sound Basis For Further Consideration of A Rule Structure To Preclude Unacceptable Interference Into LMDS Receivers From FSS Uplink Operations

A. FSS Service Link Uplinks Into LMDS Systems

The issue of precluding unacceptable interference into LMDS systems from FSS service link system uplink operations was clearly the most difficult area studied by the 28 GHz NRMC. Among the types of FSS uplink operations, the proposed "ubiquitous" deployment concepts present the most challenging sharing issues. Despite the complexity of these issues, Video/Phone continues to be confident that a workable service rule structure can be developed that will allow LMDS and ubiquitous FSS systems co-frequency co-primary access to the entire 28 GHz band. Of course, to accomplish this important policy objective, some operating conditions or other restrictions for each service in certain portions of the band would be necessary. Video/Phone is committed to continue working to develop a co-frequency co-primary regulatory solution to this

problem that takes account of technical solutions of the type proposed by Video/Phone and others.

B. Non-GSO MSS Feederlink Uplinks Into LMDS

Video/Phone agrees with the general conclusions of Working Group 2 that a service rule structure governing the deployment of Non-GSO feederlink uplink stations is necessary to protect LMDS receivers from unacceptable interference and to ensure the availability of spectrum for Non-GSO MSS feederlink operations. The modifications of the proposed Suite 12/Motorola rule resulting from the deliberations in Working Group 2 go a long way towards addressing Video/Phone's concern that appropriate interservice coordination provisions should be enacted that provide a reasonable and balanced assurance of protection for both Non-GSO and LMDS operations.

Video/Phone still maintains, however, that the proposed 75 mile "protection zone" must be further defined to include an inner circle at least 35 miles from the outside 75 mile radius, within which the Non-GSO MSS earth stations constituting the feederlink complex must be located. Absent such a provision, LMDS operators have no reasonable assurance of protection from unacceptable Non-GSO MSS feederlink interference outside of the 75 mile protection zone. Alternatively, a traditional coordination contour approach similar to that set forth in

Section 25.209 of the Commission's Rules could be employed as a replacement to the proposed fixed 75 mile protection zone approach.

IV. Any Rules Adopted Should Avoid Unnecessary Reference To Recommended or Required System Design Features

Video/Phone opposes any unnecessary inclusion in the LMDS service rules of specific system design features that LMDS operators either must or may use to comply with certain rule provisions. For example, Video/Phone is opposed to the inclusion of system design references (i.e., cross polarization and frequency interleaving) included in the proposed Suite 12/Motorola rule Sections 21.1023 and 21.1024, and in Suite 12's Working Group 1B rule proposal (WG1/77 (Rev. 1)). As Video/Phone explained in detail during the Working Group 2 deliberations, LMDS applicants and licensees obviously should be allowed to take account of power reduction/frequency reuse methods in calculating compliance with power spectral density limits. There is no legitimate reason, however, to suggest or require use of a particular technique or system design feature to accomplish power reduction and/or frequency use by LMDS operators. The Commission should take great care to avoid, unless absolutely necessary, inclusion in the LMDS service rules of technology-specific requirements and/or recommendations.

V. Conclusion

Video/Phone is pleased to have had the opportunity to participate in the 28 GHz NRMC process. Video/Phone believes that the Committee's work was largely successful and substantially advanced the progress of the LMDS rulemaking proceedings in CC Docket No. 92-297. Video/Phone urges the Commission to encourage the interested parties to continue the process of developing a rule structure for co-frequency co-primary LMDS/FSS sharing in the 28 GHz band that was cut short by the expiration of the 28 GHz NRMC charter. In furtherance of those discussions, Video/Phone also requests that the Commission refrain for 120 days from taking any further action in the LMDS Rulemaking proceeding.

Respectfully submitted,

VIDEO/PHONE SYSTEMS, INC.

By: _____

Walter H. Sonnenfeldt
Walter Sonnenfeldt & Associates
4904 Ertter Drive
Rockville, Maryland 20852
(301) 770-3299

By: _____

Albert Halprin
Stephen L. Goodman
Halprin, Temple & Goodman
1100 New York Avenue
Suite 650 East
Washington, D.C. 20005
(202) 371-9100

Its Attorneys

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