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FEDERAL COMMUNICATIONS COMMISSION

Ex Parte

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: CC Docket No. 92-297 -- Local Multipoint Distribution Service

Today, Don Brittingham and I met with Donald Gips and Gregory Rosston of the Office of Plans and Policy. The purpose of this meeting was to discuss the licensing of the Local Multipoint Distribution Service ("LMDS"). A summary of this discussion is provided as an attachment.

Please include this correspondence as part of the public record in the above captioned proceeding. You may direct any questions regarding this matter to me on (202) 392-6980.

Sincerely,

Attachment

cc: Robert M. Pepper
Donald Gips
Gregory Rosston
Regina M. Keeney

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LOCAL MULTIPOINT DISTRIBUTION SERVICE (LMDS)
A Competitive Alternative to Cable

- The competitiveness of a video services provider is largely a factor of channel capacity; the more channels, the more choices afforded to its customers.

- LMDS requires a substantial allocation to be competitive with existing cable services.

  - Today's cable operators typically offer 50-60 channels of programming, and systems offering 120+ analog channels are operational.

  - An LMDS allocation of 1 GHz, i.e., 27.5-28.5 GHz, will accommodate 49 video channels using today's technology[3]; an allocation of 850 MHz would yield only 41 channels, while an allocation of just 500 MHz would yield only 25 channels.

- Digital technology will yield capacity increases for both cable and LMDS.

  - Digital cable systems might yield 150+ HDTV channels or 500+ NTSC channels; digital LMDS might yield 50-60 HDTV channels or 200 NTSC channels (in 1 GHz of spectrum).

  - Demand for fully interactive services, including 2-way video, and the need to accommodate a mix of voice, data, and video services, will drive the need for more channels.

  - The transition to digital will be impacted by a number of technical and economic factors; it is not a substitute for allocating a sufficient amount of spectrum to LMDS.

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[3] Based on the technology used by CellularVision of NY; the only LMDS system which is currently operational.

28 GHz BAND SEGMENTATION PLAN[1]

The "Joint Parties"[2] recommend adoption of a 28 GHz band segmentation plan that accommodates the needs of the Local Multipoint Distribution Service ("LMDS"), Fixed Satellite Service ("FSS"), and Mobile Satellite Service ("MSS"). This plan offers several public interest benefits, including:

- maximizing efficient use of the spectrum by accommodating the needs of several new services, without the need for additional spectrum currently assigned to the federal government;

- the immediate licensing of LMDS through auctions that will yield substantial revenues for the federal government;

- ensuring the prompt allocation of feeder link spectrum for Motorola's Iridium system, an MSS system which has been licensed by the FCC and is ready for deployment;

- the advancement of several proposed FSS systems, including yet-to-be licensed systems proposed by Hughes Communications Galaxy, Inc., Teledesic Corporation and Loral Aerospace Holdings, Inc.; and

- the sound formulation of the U.S. position for WRC-95.

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[1] The "28 GHz band" includes spectrum in the range of 27.5-30.0 GHz.

[2] The "Joint Parties" include Bell Atlantic, AEL Industries, CellularVision of New York, CellularVision Technology & Telecommunications, CTA Partners, Darrin Technologies, International CellularVision Association, Logimetrics, M/A-COM, mm-Tech, Philips Electronics, RioVision of Texas, and Titan Information Systems.

Joint Parties 28 GHz Proposal

REVISED 5/30/95

500 MHz	350 MHz	150 MHz	350 MHz.	250 MHz	150 MHz	250 MHz	500 MHz
27.5-28.0	28.0-28.35	28.35-28.5	28.5-28.85	28.85-29.1	29.1-29.25	29.25-29.5	29.5-30.0
LMDS (Primary)	**LMDS** (Primary)	**LMDS** **LEO** (Co-primary)[1]	**LEO** (Primary)	**GEO** (Primary)	**MSS** (Motorola) **LMDS** (Co-primary)	**MSS** (Motorola/TRW) **GEO** (Co-primary)	**GEO** (Primary)
GEO or LEO (Secondary)[2]	GEO or LEO (Secondary)[2]		LMDS (Secondary)[2]	LMDS (Secondary)[2]		LMDS (Secondary)[2]	

GEO = Hughes, Loral, etc.
LEO = Teledesic

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[1] The LMDS blocks, 27.5-28.0, 28.0-28.35 and 28.35-28.5, will be auctioned individually, but can be aggregated by a single licensee. The 28.35-28.5 block, however, also is available to LEO on a co-primary basis.

[2] Secondary services permissible to the extent they do not cause harmful interference to primary services. Moreover, the secondary service cannot be operational before a fixed date when the primary service is expected to be operational.