Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
AT&T Request for Waiver to Permit Power	)	WT Docket No. 15-86
Spectral Density Model for 800 MHz	)	
Cellular Operations in Four Missouri Markets	)	

REPLY COMMENTS OF AT&T

AT&T Services, Inc., on behalf of its wholly-owned and controlled wireless affiliates (collectively "AT&T"), provides these reply comments on the Federal Communications Commission's (the "Commission") Public Notice[1] as to AT&T's Petition for Waiver of the Commission's Cellular base station power rule, 47 C.F.R. §22.913.

Pending the outcome of a rulemaking that proposes changes to the Cellular service base station power rules, AT&T seeks this waiver to enable it to use the power spectral density ("PSD") calculation in four Missouri Cellular markets to measure base station power, and specifically, to operate at 250 W/MHz in non-rural areas and 500 W/MHz in rural areas. Only The National Public Safety Telecommunications Council ("NPSTC") filed comments in response to the Public Notice. In its comments, NPSTC asks the Commission to delay action until resolution of the related rulemaking due to the complexity of the issues involved and the desire to resolve interference issues up front. In the alternative, NPSTC requests that the Commission impose waiver conditions that require AT&T to:

1. Investigate and resolve interference complaints from Part 90 licensees in the 800 MHz band expeditiously;

[1] *Public Notice*, Wireless Telecommunications Bureau Seeks Comment on AT&T Request for Waiver to Permit Power Spectral Density Model for 800 MHz Cellular Operations in Four Missouri Markets, WT Docket No. 15-86 (2015).

2. Notify the Commission of any interference complaints received, pursuant to the provisions of Sections 22.970-22.973 of the Cellular service rules; and
3. Compensate public safety entities that receive interference for legitimate costs incurred as part of the investigation and resolution of the interference complaints.

Notwithstanding NPSTC's reservations, it would serve the public interest for the Commission to grant AT&T's Petition for Waiver. Use of the PSD measure would allow AT&T to deploy LTE over Cellular service—existing spectrum—generating significant operational and spectrum efficiencies. A waiver grant enables those benefits in the short term, allowing AT&T to meet the ever-increasing data demands of its customers. Waiting for resolution of the rulemaking would unjustifiably delay those benefits, without any demonstrable harm to public safety, adjacent channel or co-channel licensees.

Instead, the public interest would be best served by grant of the waiver without the conditions proposed by NPSTC, which are based on concerns about an increase in the potential for interference. NPSTC's concerns are generalized and not specific to AT&T's proposal to use the PSD measure to set base station power limits in Missouri. AT&T's study attached to the Petition for Waiver demonstrates that operating its base stations in Missouri using the PSD limits proposed will not increase the potential for interference to public safety devices. As the Commission concluded when it granted AT&T's Petition for Waiver to operate base stations in Vermont using the PSD model, AT&T's study "provides a general framework for assessing the likelihood of interference from LTE deployments with MIMO on public safety receivers using

various reasonable scenarios to estimate the potential for intermodulation interference, out of band emissions, and overload interference."[2]

Further, each condition requested by NPSTC is unnecessary. AT&T agrees with NPSTC that interference complaints from Part 90 licensees should be expeditiously responded to and resolved. And, AT&T has all intentions of continuing to respond to interference complaints "no later than 24 hours after receipt of notification" and to initiate corrective action "within 48 hours of the initial complaint," as dictated by existing Commission rule section 22.972.[3] This rule requirement need not be restated as a waiver condition, as we are already obligated to comply.

As to the second condition proposed by NPSTC— additional notice to the Commission of interference complaints—that obligation is more suited to consideration in the rulemaking, not as part of this waiver, and would provide limited information. The Commission can access the 800 MHz Interference Notification Site database, and thus, already has notice of interference complaints. Further, in AT&T's experience, interference to public safety devises can be caused by other carriers' operations, poor public safety receiver performance, and non-carrier emissions. Thus, notice of a complaint against AT&T is not equivalent to notice that AT&T's base station caused interference, much less whether interference is caused by setting base station power using a PSD model.

Finally, NPSTC has not justified why AT&T should have an obligation to compensate public safety entities for dealing with interference complaints. Cost reimbursement is not part of the existing Part 22 or Part 90 interference mitigation rules, and, absent compelling reasons, the

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[2] Interim Waiver of 47 C.F.R. § 22.913 to Permit the Use of a Power Spectral Density Model for Certain Cellular Service Operations for Cellular Market 248 – Burlington, VT, WT Docket No. 14-10, 29 FCC Rcd 11632, 11636 (2014).

[3] 47 C.F.R. §22.972(b).

Commission should not justifiably impose such an open-ended requirement. Identifying and mitigating sources of unacceptable interference is a shared responsibility between Part 22 and Part 90 licensees and the interference mitigation rules in those rule parts already strike the appropriate balance. Cellular licensees already incur costs of their own responding to and analyzing interference complaints, even when they are not the source of the interference. Moreover, it would be unjust to make Cellular licensees bear the costs to public safety entities of responding to and analyzing potential interference that is, at least in part, a consequence of public safety's decision to not upgrade to newer devices with more robust designs.

For all these reasons, AT&T asks the Commission to expeditiously grant the waiver requested to utilize PSD at Missouri base stations without the conditions requested by NPSTC.

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Respectfully submitted,

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