



WASHINGTON, DC

STEPHEN E. CORAN
202.416.6744
SCORAN@LERMANCENTER.COM

July 30, 2015

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Notice of Oral Ex Parte Presentations
ET Docket No. 14-165 and GN Docket No. 12-68; RM-11745**

Dear Ms. Dortch:

On July 29, 2015, Alex Phillips, Vice President and FCC Committee Chair for the Wireless Internet Service Providers Association (“WISPA”) and the undersigned met separately with the following persons to discuss issues in the above-referenced proceedings regarding access to unlicensed use of unused TV band spectrum:

- Commissioner Michael O’Rielly and Erin McGrath, Legal Advisor to Commissioner O’Rielly;
- Jessica Almond, Legal Advisor to Chairman Tom Wheeler;
- David Strickland, Legal Advisor to Commissioner Mignon Clyburn;
- Brendan Carr, Legal Advisor to Commissioner Ajit Pai; and
- Johanna Thomas, Legal Advisor to Commissioner Jessica Rosenworcel.

The WISPA representatives discussed the issues summarized in the attached presentation. In doing so, the WISPA representatives emphasized a number of points.

First, WISPA highlighted the importance of adopting rules that will enable fixed operations (up to 4 W EIRP) closer to the channel edge of TV broadcast stations. The current rule establishing a full six megahertz of spectrum on each side of a protected broadcast station is overly conservative, and normal 4 W operations should be permitted three megahertz from the TV channel edge. Rules that permit lower-power operations (40 mW or 100 mW) three megahertz closer to the TV channel edge would provide no meaningful benefit to WISPs that require normal 4 W power limits to provide fixed broadband services.

Second, WISPA noted its support for the Commission’s proposal to require 600 MHz licensees to provide notice to the Commission when they begin to transmit on their licensed

spectrum in preparation for the launch of customer service within the ensuing 60-day period.¹ WISPA reiterated its request that 600 MHz licensees should submit to the Commission a polygonal depiction of base station deployment that establishes the planned area of operation. Further, operation of TV white space devices should be permitted to continue in the licensed market outside of the defined deployment area until such time as the 600 MHz licensee provides further notice of commencement of operations covering additional portions of its licensed market.²

Third, WISPA reiterated its support for the Commission's definition of "rural area," which is based on the density of TV stations in a given area.³ In these areas, the Commission should authorize higher-power operations of up to 16 Watts EIRP and operations from higher elevations of up to 100 meters AGL and 500 meters HAAT to increase the coverage area and to reduce infrastructure costs, with appropriate changes to the distance separation criteria to ensure incumbents remained protected from harmful interference.⁴

Fourth, WISPA recommended that the Commission preserve the rule requiring unlicensed devices to check the database no more frequently than once per day. WISPA noted that the National Association of Broadcasters ("NAB") and white space device manufacturers had proposed to retain that existing rule.⁵

Fifth, WISPA stated that the Commission should not eliminate the professional installation option to provide GPS location data for TV white space devices, as suggested by NAB. Rather, the Commission should continue to encourage database administrators, manufacturers and industry stakeholders to continue to work together to improve the accuracy and reliability of database operation. The WISPA representatives also discussed WISPA's planned professional installation education and certification program as a means to further

¹ See *Public Notice*, "Comment Sought on Defining Commencement of Operations in the 600 MHz Band," FCC 15-38 (rel. March 26, 2015).

² See WISPA Comments, GN Docket No. 12-268 (filed May 1, 2015), at 2-3; WISPA Comments, ET Docket No. 14-165 and GN Docket No. 12-268 (filed Feb. 4, 2015) ("WISPA Part 15 Comments"), at 16-18.

³ See WISPA Reply Comments, ET Docket No. 14-165 and GN Docket No. 12-268 (filed Feb. 25, 2015), at 11-12.

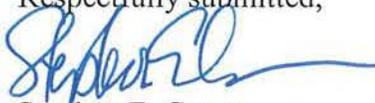
⁴ See WISPA Part 15 Comments at 13-16.

⁵ See Letter from Haiyun Tang, *et al.*, to Marlene H. Dortch, FCC Secretary, ET Docket No. 14-165 and RM-11745 (filed July 17, 2015), at Appendix.

improve efficient use of TV white space spectrum while continuing to provide effective protection for licensed users.⁶

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-captioned proceedings.

Respectfully submitted,



Stephen E. Coran
Counsel to WISPA

Enclosure

cc: Commissioner Michael O'Rielly
Erin McGrath
Jessica Almond
David Strickland
Brendan Carr
Johanna Thomas
Julius Knapp
Ira Keltz
Hugh Van Tuyl
Paul Murray
Aspasia Paroutsas
Alex Phillips

⁶ See Letter from Stephen E. Coran, WISPA Counsel, to Marlene H. Dortch, FCC Secretary; ET Docket No. 14-165, GN Docket No. 12-68 and RM-11745 (filed July 9, 2015).

TV White Spaces: Enabling Rural Broadband Availability



Objectives

- Promote availability of fixed broadband services primarily to rural and underserved areas
 - Flexibility
 - Spectrum Efficiency
 - Eliminate conservative protection requirements
- Promote equipment ecosystem
- Preserve professional installation for cases where geolocation will not function

WISPA Supports . . .

- **Intermediate power** and **directional antenna** recognition by database to enable more areas to get “green light” for fixed deployment
- **Channel bonding** and **channel aggregation** to enable more efficient use of spectrum
- **“Use it or share it”** based on **actual use** to allow unlicensed use in areas where licensees are not actually operating

WISPA Supports . . .

- **Relaxing adjacent-channel protection** for TV stations
 - FCC should expand its 3:2 proposal to allow higher-power fixed operations on all but the 3 MHz closest to the TV station band edges
- Use of **Channel 37** outside of exclusion zones
- Retaining the **24-hour database re-check** requirement

WISPA Supports . . .

- **Better rules for operation in rural areas**
 - Adopt proposed definition of “rural area,” to be fixed as of a date certain
 - Allow higher-power operations up to 16 Watts EIRP with corresponding changes in distance criteria
 - Allow operations from 100 meters above ground level (AGL) and 500 meters above average terrain (HAAT) with corresponding changes in distance criteria

WISPA Supports . . .

- **Preserving the professional installation option** when and where geolocation will not function
 - WISPA is working with industry group to make professional installation more reliable
 - WISPA is leading effort to develop professional installation certification program
- **Preserving the duplex gap for unlicensed operations**, and placing broadcasters in the uplink

