

January 7, 2016

EX PARTE NOTICE VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 12-40: *Amendment of Parts 1 and 22 of the Commission's Rules with
Regard to the Cellular Service, Including Changes in Licensing of Unserved Areas;*

WT Docket No. 15-300: *Wireless Telecommunications Bureau Seeks Comment on AT&T
Request for Waiver to Permit Power Spectral Density Model for 800 MHz Cellular
Operations in Eight Markets in Kentucky and Tennessee*

Dear Ms. Dortch:

On January 5, 2016, the undersigned, on behalf of Gogo Inc., spoke via telephone with Chris Helzer of the Wireless Telecommunications Bureau regarding Gogo's recent submissions in the referenced dockets.

During the call, I reiterated that Gogo supports greater investment and innovation throughout the 800 MHz band. Specifically, Gogo does not oppose the FCC adopting effective radiated power limits for cellular operations based on power spectral density ("PSD") models. Gogo remains concerned, however, that adoption of the PSD proposal for operations in the cellular band would increase the risk of out-of-band emission ("OOBE") interference to the neighboring 800 MHz Air-to-Ground ("ATG") band and threaten Gogo's ability to provide reliable in-flight broadband service to airborne passengers.¹ Granting waivers of the FCC's rules that allow cellular carriers to operate at higher power levels using a PSD model would also increase the risk of harmful interference to ATG operations.² Gogo therefore urges the Commission to mitigate that risk by (1) requiring cellular licensees to enter into inter-operator interference mitigation agreements or otherwise coordinate with adjacent channel licensees such as Gogo prior to commencing any operations at higher power levels than currently allowed by rule, and (2) adopting more stringent OOBE limits on cellular operations near 800 MHz ATG base stations.

¹ See Letter from Michele Farquhar, Counsel, Gogo Inc., to Marlene H. Dortch, Secretary, FCC, WT Docket No. 12-40 (filed Dec. 24, 2015).

² See Comments of Gogo Inc., WT Docket No. 15-300 (filed Dec. 31, 2015).

I noted during the call that the direct adjacency of the cellular and ATG bands, the lack of any guard band between the two, and the reverse duplexing scheme of the two bands create a significant risk of interference from one service into the other. To prevent its operations from interfering with cellular service, Gogo installs transmit filters in all its base stations, at its own cost, that provide greater attenuation of OOBE than required by the rules. But cellular operators generally do not take similar precautionary measures and I explained that Gogo has documented several instances where cellular transmit base stations are already interfering with Gogo receive base stations.

I explained that while the FCC's rules protect licensees from out-of-band cellular interference,³ those after-the-fact measures will likely be insufficient to prevent interference if and when cellular operators around the country increase their power levels nearly simultaneously. Gogo therefore urges the Commission to (1) require cellular operators to enter prescriptive interference mitigation agreements prior to commencing operations at any power level higher than currently allowed, and (2) apply more stringent OOBE limits for cellular base stations operating near 800 MHz ATG base stations.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed in the above-referenced dockets. Please direct any questions regarding this filing to me.

Respectfully submitted,

/s/ Tom Peters

Tom Peters
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004

cc: Chris Helzer

³ See 47 C.F.R. § 22.917(d) (stating that where a cellular transmitter's out-of-band emission "results in interference to users of another radio service," the FCC may "require a greater attenuation of that emission" than currently specified under the rules).