

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of the Commission's Rules) GN Docket No. 12-354
With Regard to Commercial Operations in)
The 3550-3650 MHz Band)

To: The Commission

**REPLY COMMENTS OF
NEPTUNO NETWORKS**

Neptuno Networks (“Neptuno”) hereby replies to the comments that were filed in response to the *Public Notice*¹ issued by the Wireless Telecommunications Bureau on October 23, 2015, which sought comment on the methodology to determine the Grandfathered Wireless Protection Zone for existing licensees in the 3650-3700 MHz band.

I. INTRODUCTION

Neptuno is a leading wireless service provider based in Puerto Rico that offers VPN services, Internet services, VoIP services, network consulting, integration services and managed services to small and medium-sized businesses, government agencies, public and private educational institutions and hospitals, as well as major enterprise customers that require an infrastructure capable of supporting their mission-critical business around Puerto Rico and the U.S. Virgin Islands. Since its foundation in June 2000, Neptuno has grown into a profitable services business by providing quality, reliable and cost-effective solutions to its customers’

¹ See Wireless Telecommunications Bureau Seeks Comment on an Appropriate Method for Determining the Protected Contours for Grandfathered 3650-3700 MHz Band Licensees, Public Notice, *In re Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354 (Oct. 23, 2015) (*Public Notice*).

voice, data and video requirements. The 3650-3700 MHz band has been a critical component to Neptuno's success and its ability to provide reliable commercial broadband service in Puerto Rico since 2005, when the Commission opened the door to the development of the band. Neptuno became one of the pioneers in the deployment of innovative technology in that space after having invested more than 10 million dollars in infrastructure and equipment and partnering with leading providers of WiMax-based wireless broadband equipment to develop a completely independent wireless backbone structure.

II. DISCUSSION

The *Public Notice* proposed a two-pronged "sectors" approach to define the Grandfathered Wireless Protection Zone. Under this proposal, the Commission would establish (1) a zone of 4.4 km from registered base stations to protect unregistered subscribers that operate below the power limit and (2) a zone covered by the distance from each base station to its farthest registered subscriber station.²

Neptuno agrees with the Wireless Innovation Forum that the Commission's proposed two-pronged approach is not sufficient to protect operation of wireless Internet service providers like Neptuno in the 3650-3700 MHz band.³ Neptuno also agrees that protecting existing individual device locations is a more effective method than the zone-based approach proposed in the *Public Notice*. As the Wireless Innovation Forum noted, many providers rely on base stations located at high locations with good visibility, which allows them to serve subscriber

² *Public Notice* at 2-3.

³ See Comments of the Wireless Innovation Forum on the Federal Communications Commission Public Notice on an Appropriate Method for Determining the Protected Contours for Grandfathered 3650-3700 MHz Band Licensees, *In re Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band*, GN Docket No. 12-354 (filed Dec. 24, 2015) (WInnForum Comments).

stations (operating below the power limits) beyond the 4.4 km sector that the Commission proposed as the standard.⁴ Neptuno certainly is one such provider. To avoid both over-protection and under-protection, the Wireless Innovation Forum's proposal to provide per-device interference (*i.e.*, protection to existing base stations and all the subscriber stations served by these base stations) is more likely to work best in terms of balancing the need to protect incumbent licensees and the promotion of the Commission's policy goals. As such, Neptuno supports adoption of the Wireless Innovation Forum's proposal in lieu of the two-pronged approach proposed in the *Public Notice*.

III. CONCLUSION

For these reasons, Neptuno respectfully requests that the Commission take notice of the instant reply comments supporting the adoption of the proposal by the Wireless Innovation Forum.

Respectfully submitted,

NEPTUNO MEDIA, INC. D/B/A NEPTUNO NETWORKS

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⁴ WinnForum Comments at 2-3.