

February 9, 2016

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

Re: *Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*
ET Docket No. 13-49
Written Ex Parte Presentation

Dear Ms. Dortch:

On January 25, 2016, Broadcom Corporation (“Broadcom”) filed an *ex parte* letter¹ in which it proposed changes to the Modified Consensus Proposal submitted by the undersigned associations and parties on November 4, 2015.²

We write to urge the Commission to act on the Modified Consensus Proposal in advance of the upcoming March 2, 2016 deadline by which new equipment must be certified under the rules adopted in the *First Report and Order*,³ as such may be modified on reconsideration.⁴ We express no opinion on the merits of Broadcom’s proposal at this time; however, its submission six weeks prior to the March 2 deadline should not be the basis for delaying action on the extensive record developed prior to Broadcom’s submission.

If the Commission is unable to address Broadcom’s proposal prior to March 2, we ask the Commission to consider it alongside any unresolved issues in this proceeding, including the proposal by Fastback Networks to modify the out-of-band emissions limit in the U-NII-1 band.⁵ Proceeding in this manner will provide a timely resolution of long-pending U-NII band issues while affording the public and the Commission sufficient time to consider further modifications to the U-NII rules.

¹ See Letter from Paul Margie, Counsel to Broadcom, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Jan. 25, 2016).

² See Letter from Alcatel-Lucent, *et al.*, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Nov. 4, 2015) (“Modified Consensus Proposal”).

³ See Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, Public Notice for Petitions for Reconsideration of Action in Rulemaking Proceedings, 29 FCC Rcd 4127 (2014).

⁴ See *Order*, FCC 15-163, ET Docket No. 13-49 (rel. Dec. 3, 2015). The undersigned also have supported requests to extend the June 2, 2016 deadline by which all equipment sold in the United States must comply with Section 15.407, as such rule may be modified. See Letter from Alcatel-Lucent, *et al.*, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Nov. 24, 2015). See also Letter from Peter Pitsch, Intel Corporation, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Nov. 6, 2015); Letter from Mark Merrill, NETGEAR, Inc., to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Nov. 11, 2015); email from David Boldy, Broadcom Corporation, to Mark Settle, ET Docket No. 13-49 (filed Nov. 18, 2015).

⁵ See, e.g., Letter from Henry Goldberg, Counsel to Fastback Networks, to Marlene H. Dortch, FCC Secretary, ET Docket No. 13-49 (filed Sept. 25, 2015)

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 proceeding.

Respectfully submitted,

Nokia⁶
Cambium Networks, Ltd.
Fastback Networks
JAB Wireless, Inc.
Mimosa Networks, Inc.
Ubiquiti Networks, Inc.
Zebra Technologies
Wireless Internet Service Providers Association

cc: Julius Knapp
Mark Settle
Karen Rackley
Bruce Romano
Aole Wilkins

⁶ Nokia acquired Alcatel-Lucent.