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May 19, 2016

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

Re: *Terrestrial Use of the 2473-2495 MHz Band for Low Power Mobile Broadband Networks – IB Docket No. 13-213 – ORAL EX PARTE PRESENTATION*

Dear Ms. Dortch:

I am writing pursuant to Section 1.1206(b)(1) of the Commission's Rules to notify the Commission that on May 17, 2016, the undersigned Paul J. Sinderbrand and Mary N. O'Connor, counsel for the Wireless Communications Association International ("WCA"), together with Richard Engelman and Gardner Foster of Sprint Corporation, met with Edward "Smitty" Smith, Legal Advisor to Chairman Tom Wheeler. During the course of the meeting we discussed the concerns of the Educational Broadband Service ("EBS") and Broadband Radio Service ("BRS") community regarding the Commission's Order circulating that could result in Globalstar's deploying Terrestrial Low Power Service ("TLPS") in the spectrum immediately adjacent to the BRS/EBS allocation.

We reiterated the importance of preserving Globalstar's existing absolute obligation to protect adjacent licensed BRS and EBS operations from harmful interference. We also expressed our ongoing concern over a proposed 40 + 10 log (P) out-of-band emissions ("OOBE") mask for TLPS, emphasizing the lack of any record or testing to support the adoption of a more lenient mask. We noted the fundamental differences between the present situation and the Commission's decision, at WCA's request, to adopt a 40 + 10 log (P) OOBE limit for mobile BRS/EBS devices.[1] To begin with, we pointed out that the BRS/EBS 40 + 10 log (P) mask only applies to mobile devices, while BRS/EBS base stations and other fixed facilities remain subject

[1] Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, *Fifth Report and Order*, 29 FCC Rcd 6331, 6338 ¶ 8 (2014) ("*Order*"); Petition of the Wireless Communications Association, Int'l for Rulemaking, RM-11614, at 3-6 (filed Oct. 22, 2010).

to the 43 + 10 log (P) OOBE limit.[2] Globalstar, in contrast, would loosen the OOBE mask for all TLPS devices, whether fixed or mobile. We also emphasized that while the Commission loosened the internal BRS/EBS mask for BRS/EBS mobiles, the required OOBE attenuation applicable at the 2496 MHz Mobile Satellite Service/BRS border remained 43 + 10 log (P)[3] in response to concerns that Globalstar had expressed about potential interference to it.[4] The willingness of BRS/EBS licensees to accept a less restrictive internal OOBE mask was premised on the 2.5 GHz band operating environment, where adjacent channel use is typically synchronized Time Division Duplex ("TDD"). In other words, mobiles transmit during the same time frame, and thus there is no potential for OOBE from one mobile to cause interference to a nearby mobile. The record in this docket establishes that use of synchronized TDD "mitigates the potential interference impact of relaxed OOBE, but it is not possible to synchronize operations between BRS and TLPS."[5] Thus, the coordination technique that makes a 40 + 10 log (P) OOBE mask acceptable for intra-BRS/EBS purposes will not be present when TLPS and BRS1 operate on adjacent channels.

Pursuant to Sections 1.1206(b)(1) and 1.49(f) of the Commission's Rules, this letter is being filed electronically with the Commission via the Electronic Comment Filing System. Should you have any questions regarding this presentation, please contact the undersigned.

Respectfully submitted,

Paul J. Sinderbrand
Mary N. O'Connor

Counsel to the Wireless Communications Association International

cc: Edward "Smitty" Smith

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[2] *Compare* 47 C.F.R. § 27.53(m)(4) (establishing mask for mobile devices) *with* 47 C.F.R. §§ 27.53(m)(2) and 27.53(m)(2)(v) (establishing base station and fixed user station masks).

[3] *See* 47 C.F.R. § 27.53(m)(4). *See also Order*, 29 FCC Rcd at 6338 ¶ 17.

[4] *Order*, 29 FCC Rcd at 6338 ¶ 17.

[5] Comments of Sprint Corp., IB Docket No. 13-213 & RM-11685, at 7 (filed May 5, 2014).