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November 10, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 – 12th Street, SW
Room: TW-A325
Washington, DC 20554

Re: WT Docket No. 99-168
"Service Rules for the 746-764 and 776-794 MHz Bands"

Dear Ms. Salas:

Today, the undersigned met with Mark Schneider from Commissioner Ness' office to discuss service rules for the 746-764 and 776-794 MHz bands. Bell Atlantic believes that the Commission should adopt rules to facilitate the use of these bands for commercial mobile services. Attached is a summary of the key points made in that meeting, along with a recommended band plan that would best satisfy future commercial mobile services.

Please include a copy of this ex parte presentation in the record for the above captioned proceeding. If you have any questions, you may call me on (202) 336-7873.

Dan Brittingham

Attachment

cc: M. Schneider

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List ABCDE

Service Rules for the 746-764 and 776-794 MHz Bands

Notice of Proposed Rulemaking
WT Docket No. 99-168

Bell Atlantic Ex Parte Meeting of 11/10/99

The Commission should establish rules that promote the use of these bands for future mobile services.

- IWG-1 has determined that 160 MHz of additional spectrum will be needed by 2010 to support IMT-2000 services.
- The 746-764 and 776-794 MHz bands (TV ch's 60-62 and 65-67) are ideally suited for mobile services.
- Over the longer term, the Commission should consider making the 698-746 MHz band (TV ch's 52-59) available for mobile services.
- Rules that facilitate the use of the band for traditional broadcast services or private mobile services would undermine the maximum use of the band for mobile services.

The Commission should assign licenses on a nationwide basis.

- Industry trend is moving toward competitors with nationwide footprints and digital, single-rate service plans.
- Nationwide licensing will promote increased operating efficiencies and lower priced services without the expense and delay of aggregating smaller geographic areas through the secondary market.

The band plan should support two 18 MHz licenses; 746-755 MHz paired with 776-785 MHz and 755-764 MHz paired with 785-794 MHz.

- 18 MHz (9 MHz + 9 MHz) is needed to provision two 3G3X channels.
- As demand for higher rate data services increases, spectrum demands will increase (e.g., 10% penetration @ 144 kbps will require 20 MHz).
- More spectrum will facilitate band sharing with incumbent broadcasters prior to Digital TV transition.

The Commission should not extend the CMRS Spectrum Cap to this band, or otherwise limit the amount of spectrum held by a single entity.

A band plan should be adopted that facilitates deployment of 3G mobile services.

- Band plan should not be designed to accommodate broadcast or private mobile services as it would undermine the use of the band for commercial mobile services.
- A minimum of 18 MHz is needed by commercial mobile operators to deliver 3G mobile services.
- 18 MHz licenses (9 MHz + 9 MHz) will facilitate the provision of two 3G3X wideband channels, whereas 15 MHz licenses (7.5 MHz + 7.5 MHz) will not.
- Bigger channels will provide greater flexibility to offer a combination of 3G1X and 3G3X channels as the market dictates.

The Commission should adopt flexible technical rules comparable to those used for PCS with field strength limits to minimize interference at the market borders and out-of-band emission limits to protect operators in adjacent channels, e.g. Public Safety.

The Commission should adopt rules that facilitate the rapid availability of the band.

- Promote flexibility to allow mobile services to coexist with incumbent broadcast services until DTV transition is complete.
- A "must carry" requirement is likely to be necessary to ensure that 85% penetration of TV households is attained.