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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of)
)
Amendment of Part 101 for the Commission's)
Rules to Streamline Processing of Microwave) WT Docket No. 00-19
Applications in the Wireless Telecommunications)
Services)
)
Telecommunications Industry Association) RM-9418
Petition for Rulemaking)

REPLY COMMENTS OF TELIGENT, INC.

Teligent, Inc. hereby submits its Reply Comments in the above captioned proceeding.¹ These Reply Comments are in response to the Commission's recent decision in a separate proceeding to defer to this proceeding a determination of the appropriate form of equipment authorization to apply to 24 GHz point-to-multipoint transmitters.²

In the Notice, the Commission tentatively concludes that its rules should be modified to subject point-to-multipoint transmitters in the 39 GHz, LMDS, and 24 GHz services to the Commission's verification procedures rather than its certification

¹ Amendment of Part 101 for the Commission's Rules to Streamline Processing of Microwave Applications in the Wireless Telecommunications Services; Telecommunications Industry Association Petition for Rulemaking, WT Docket No. 00-19; RM-9418, *Notice of Proposed Rulemaking*, 15 FCC Rcd 3129 (2000) ("Notice").

² Amendments to Parts 1, 2, 87 and 101 of the Commission's Rules to Licenses Fixed Services at 24 GHz, WT Docket No. 99-327, *Report and Order*, FCC 00-273 at ¶ 61 (rel. Aug. 1, 2000).

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requirements.³ Teligent concurs, as evidenced by its comments in the 24 GHz proceeding.⁴ Currently, under section 101.139 of the Commission's Rules, 47 C.F.R. § 101.139, DEMS transmitters are subject to equipment certification procedures while point-to-point transmitters at 23 GHz and point-to-multipoint transmitters in the 38 GHz band are subject to verification. The certification procedures require manufacturers to submit full test measurement data to the Commission, and requires the Commission to affirmatively issue a grant of equipment authorization, before the manufacturer can sell the product. Verification, on the other hand, allows the manufacturer to begin selling compliant equipment as soon as it has completed compliance testing. The difference in these procedures can delay the introduction of new technology for up to several months, depending upon the application processing backlog at the FCC Labs.

In the Commission's amendments to the equipment authorization rules, it found that Part 101 Subparts H and I microwave transmitters have compiled an excellent record of compliance, and because they are operated under the terms of a license, interference can be resolved by the licensee.⁵ As the Commission notes, essentially the same radio technology is employed in the 24 GHz band as in the 23 GHz and 38 GHz point-to-point

³ Notice at ¶ 57.

⁴ See Amendments to Parts 1, 2, and 101 of the Commission's Rules to License Fixed Services at 24 GHz, WT Docket No. 99-327, *Comments of Teligent* at 41-42 (filed Jan. 19, 2000).

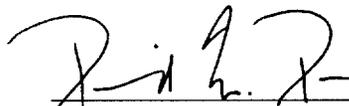
⁵ See Amendment of Parts 2, 15, 18 and Other Parts of the Commission's Rules to Simplify and Streamline the Equipment Authorization Process for Radio Frequency Equipment, ET Docket No. 97-94, *Report and Order*, 13 FCC Rcd 11415 at ¶ 25 (1998).

microwave bands.⁶ Moreover, it is equally true that 24 GHz licensees are responsible for resolving interference problems. Consequently, the faster deployment of new technology that results from verification procedures as compared to certification procedures yields significant public interest benefits with little risk. For these reasons, verification rather than certification should be the standard equipment authorization procedure for 24 GHz fixed wireless transmitters.

Respectfully submitted,

TELIGENT, INC.

By:



Philip L. Verveer
David M. Don

Laurence E. Harris
David S. Turetsky
Terri B. Natoli

TELIGENT, INC.
Suite 400
8065 Leesburg Pike
Vienna, VA 22182
(703) 762-5100

WILLKIE FARR & GALLAGHER
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20036
(202) 328-8000

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⁶ Notice at ¶ 57 ("We tentatively agree that [fixed microwave] equipment is sufficiently similar to permit the marketing of fixed point-to-point and point-to-multipoint transmitters for the . . . DEMS bands.").

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