

Before the  
**Federal Communications Commission**  
Washington DC 20554

In the Matter of	)	
	)	
FWCC Request for Declaratory Ruling on	)	
Partial-Band Licensing of Earth	)	IB Docket No. 00-203
Stations in the Fixed-Satellite Service	)	RM-9649
That Share Terrestrial Spectrum	)	
	)	
FWCC Petition for Rulemaking to Set	)	
Loading Standards for Earth Stations	)	
In the Fixed-Satellite Service that	)	
Share Terrestrial Spectrum	)	
	)	
Onsat Petition for Declaratory Order that	)	
Blanket Licensing Pursuant to Rule 25.115(c)	)	SAT-PDR-19990910-00091
is Available for Very Small Aperture	)	
Terminal Satellite Network Operations at C-	)	
Band	)	
	)	
Onsat Petition for Waiver of Rule 25.212(d)	)	
to the Extent Necessary to Permit Routine	)	
Licensing of 3.7 Meter Transmit and Receive	)	
Stations at C-Band	)	
	)	
Ex parte Letter Concerning Deployment of	)	
Geostationary Orbit FSS Earth Stations in	)	
the Shared Portion of the Ka-band	)	

**REPLY COMMENTS OF THE  
UNITED TELECOM COUNCIL**

Pursuant to Section 1.415 of the rules of the Federal Communications Commission (FCC or Commission), The United Telecom Council (UTC), hereby submits these reply comments in the above-captioned proceeding.<sup>1</sup>

UTC is the national representative on communications matters for the nation's electric, gas, water and steam utilities, and natural gas pipelines. UTC's members provide public safety and public service-related services throughout the United States and its possessions. UTC's

members range in size from large combination electric-gas-water utilities that serve millions of customers, to smaller, rural electric cooperatives and water districts that serve only a few thousand customers each. All utilities and pipelines depend on reliable and secure communications to assist them in carrying out their obligations to provide service to the public, and many operate private operational fixed microwave facilities, licensed under Part 101 of the Commission's Rules. UTC's members rely on their systems to provide a variety of critical services, including communications with emergency dispatch and restoration crews, and use private microwave to perform functions critical to the safe provision of essential public services. UTC is therefore pleased to support the FCC's efforts to make sharing more equitable between fixed service ("FS") terrestrial microwave facilities and fixed satellite service ("FSS") earth stations.

UTC supports the sharing and coordination recommendations of the Fixed Wireless Communications Coalition ("FWCC"), of which UTC is a member. As has been noted by the FWCC, band sharing between satellite and terrestrial microwave systems is problematic due to the typical manner in which satellite operators license each earth station for the entire band of allocated spectrum and across the entire orbital arc through which that earth station might be aimed.

The current rules permit an FSS earth station operator to warehouse large amounts of spectrum urgently needed by the Fixed Service, even in bands supposedly shared on a co-primary basis. This warehousing impedes and wastes hundreds of megahertz of spectrum. Whatever advantage it may provide to the FSS cannot justify its large cost to the FS and its users, and to the entire economy.

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<sup>1</sup> IB Docket No. 00-203, Notice of Proposed Rulemaking, FCC 00-369 (released Oct. 24, 2000) ("NPRM").

UTC supports the proposals of the FWCC to change the coordination rules. These proposals would eliminate a double standard in the rules whereby an earth station may find one level of interference acceptable when it is applying for a facility, but may find the same level of interference unacceptable once it is licensed. If earth stations can accept this level of interference from FS incumbents, they should be able to accept it from FS applicants. Moreover, this rule would promote spectrum efficiency and help to alleviate the shortage of available FS spectrum, which will be subject to increased demands from third generation (3G) broadband mobile services.

UTC joins FWCC in opposing the current proposal to allow streamlined blanket licensing of ubiquitous GSO FSS earth terminals in the Ka-band spectrum shared with FS because such an arrangement will make the 18.3-18.58 GHz “shared” band unusable for FS deployment.

**WHEREFORE, THE PREMISES CONSIDERED,** UTC respectfully requests that the Commission issue a final order in this proceeding consistent with the positions set forth above.

Respectfully submitted,

**UTC**

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