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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Year 2000 Biennial Regulatory Review)
– Amendment of Part 22 of the)
Commission’s Rules to Modify or)
Eliminate Outdated Rules Affecting)
the Cellular Radiotelephone Service)
and other Commercial Mobile Radio)
Services)

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WT Docket No. 01-108

COMMENTS

Respectfully submitted,
MID-MISSOURI CELLULAR
NORTHWEST MISSOURI CELLULAR
CELLULAR 29 PLUS

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SUMMARY

From the perspective of the smaller, primarily rural cellular service providers, it would be premature for the Commission to eliminate its rules that mandate the transmission of a single, compatible analog cellular protocol. These rules must continue to apply in both the RSAs as well as in the MSAs. The existence of analog cellular, as the common denominator ensuring ubiquitous cellular coverage to all cellular subscribers, is what made it feasible for the Commission to allow the development of competing, incompatible digital standards in the first place. However, the lack of a common digital standard makes it all the more imperative to retain the analog protocol for the foreseeable future. In many instances, an RSA licensee finds itself geographically positioned between major markets where its primary roaming partners have selected different, incompatible digital technologies. Even if the RSA licensee were to take the costly route of electing to deploy both TDMA and CDMA digital networks within its RSA, the unavailability of a TDMA/CDMA handset would still deny the RSA subscriber of the ability to roam with both nearby major markets, were those major markets to cease providing service in the analog mode. This, coupled with the uncertainty surrounding both the CDMA and TDMA digital protocols and their migration to 3G services, makes it readily apparent that consideration of eliminating the analog standard should be deferred to a future biennial review.

In addition, the Commission is presently embroiled in a proceeding regarding the inability of both TDMA and CDMA digital networks to properly allow access to TTY devices. Until all outstanding issues in this regard are resolved, the Commission should not consider elimination of the analog standard over which TTY access is presently being assured.

With respect to the elimination of the standard channelization rules, if the Commission were to do so, it must ensure that carriers electing to use non-standard channelization plans are required to take whatever steps are necessary to protect the current use and future expansion of networks where carriers continue to utilize the original channelization scheme. A carrier's use of CDMA in a market adjacent to an analog or TDMA-based network, renders 59 analog channels and 177 TDMA voice channels unusable in those markets. The Commission's rules have always required that carriers take steps to avoid interfering with and blocking the growth of adjacent cellular systems. Elimination of the standard channelization scheme requires that the Commission's rules go further and place an expressed obligation on the users of non-standard channelization formats to ensure non-interference with, and the future growth of, adjacent markets which continue to use the 30 KHz channelization.

Finally, the Commission should realize that relaxation of the 30 KHz channelization scheme will allow for the utilization of 200 KHz GSM carriers in the cellular band. While that may or may not prove advantageous in the marketplace, the introduction of a third, incompatible digital protocol in the cellular frequency bands only further highlights the need to retain the underlying analog service requirements at this time.

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COMMENTS

Missouri RSA No. 7 Limited Partnership dba Mid-Missouri Cellular (“MMC”), Northwest Missouri Cellular Limited Partnership d/b/a Northwest Missouri Cellular (“NWMC”) and RSA 1 Limited Partnership dba Cellular 29 Plus (“Cellular 29”), (collectively “Regional Carriers”), by their attorneys and pursuant to the Notice of Proposed Rulemaking^{1/} in the above-captioned proceeding, hereby submit comments to demonstrate that it is premature to modify or eliminate Cellular Technical Rules.

I. INTRODUCTION

The Regional Carriers are limited partnerships formed by predominantly rural telephone companies to provide cellular service to RSAs that include their wireline telephone exchanges. MMC is the B block cellular licensee for Missouri RSA 7 and the B2 (rural) portion of the Kansas

^{1/} In the Matter of Year 2000 Biennial Regulatory Review - Amendment of Part 22 of the Commission’s Rules to Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and other Commercial Mobile Radio Services, *Notice of Proposed Rulemaking*, WT Docket No. 01-108, 66 Fed. Reg. 31589, (June 12, 2001) (“*NPRM*”).

City MSA. NWMC is the B block cellular licensee for Missouri RSA 1 and Cellular 29 is the B block cellular licensee for Iowa RSA 1. As such, the Regional Carriers provide B block cellular service in the RSAs that lie primarily between the Omaha, Nebraska; St. Joseph, Missouri; Kansas City, Missouri and Columbia, Missouri MSAs.

As part of its 2000 Biennial Regulatory Review of Telecommunications Regulations, the Federal Communications Commission (“Commission” or “FCC”) has initiated a comprehensive review of the Part 22 regulations, particularly focusing on the rules in Part 22, Subpart I that govern the Cellular Radiotelephone Service.^{2/} In its review, the Commission is considering rules which it believes may have been made obsolete by technological advances and growth of competition in mobile telephony. While the Commission’s inquiry is a broad one, the instant rural carrier comments focus on proposed changes to rules classified as cellular technical rules; Sections 22.901 and 22.933 (analog service requirements), and 22.905 (channelization standards).

II. DISCUSSION

A. Eliminating the Requirement to Provide Analog Nationwide Compatibility Standards is Premature.

The Commission seeks comment on whether to “modify or eliminate the rules governing the provision of analog service by cellular systems pursuant to particular technological specifications (*i.e.*, the rule would be modified so that cellular systems need not utilize the analog compatibility standard referenced in OET 53).^{3/} Since the inception of the Commission’s cellular rules, cellular carriers have been required to deploy systems that comply with technical standards for analog

^{2/}See generally, *id.*

^{3/}NPRM at ¶23.

cellular systems contained in OET Bulletin Number 53.^{4/} Although, the Commission has since allowed cellular carriers flexibility to use alternative platforms for the provision of digital cellular service,^{5/} the Commission has wisely required that cellular carriers continue to provide compatible analog service in addition to their digital deployments. As noted in the NPRM, cellular carriers “have considerably more flexibility now than when the service was established.”^{6/} However, this “flexibility” was afforded before a backdrop of the AMPS analog standard, which facilitates a uniform, nationwide wireless service that allows ubiquitous roaming notwithstanding carrier decisions to deploy incompatible digital standards. As the Regional Carriers will demonstrate below, until there is either a single nationwide digital standard, or handsets which are capable of operating on all of the various digital technologies, applicability of the Commission’s original rules relating to analog service has been and will continue to be a major factor in the provision of ubiquitous, nationwide commercial mobile radio service (“CMRS”) coverage in the United States. The following subsections of these comments will address the Commission’s specific requests for comment in this area.

^{4/}See *An Inquiry Into the Use of the Bands 825-845 and 870-890 MHz for Cellular Communications Systems; and Amendment of Parts 2 and 22 of the Commission’s Rules Relative to Cellular Communications Systems*, CC Docket No. 79-318, Report and Order 86 FCC 2d 469 (1981).

^{5/}See *Amendment of Parts 2 and 22 of the Commission’s Rules to Permit Liberalization of Technology and Auxiliary Service Offerings in the Domestic Public Cellular Radio Telecommunications Service*, GEN. Docket No. 87-390, *Report and Order*, 3 FCC Rcd 7033 (1988)

^{6/}NPRM at ¶20.

1. Regional Carriers And Their Customers Would Be Harmed By Elimination of the Analog Compatibility Standard.

The Commission seeks comment on whether Commission-mandated technological compatibility is more critical for regional, or smaller, cellular carriers than for nationwide carriers.^{7/} From the perspective of small and regional carriers the proposal to eliminate the analog compatibility service requirements, would be devastating. In migrating from analog to digital cellular, the Commission was in a position to allow for the emergence of incompatible digital standards in the marketplace primarily because of the underlying “common denominator” of analog cellular service. Regardless of the digital protocol chosen by a consumer’s home carrier (CDMA or TDMA), that consumer was assured of the continuing ability to receive cellular service wherever he or she may roam, under the ubiquitous analog standard. Indeed, in allowing competing, incompatible cellular digital technologies, the only way to be able to ensure that rural subscribers can receive service in all marketplaces has been the ability of the digital phones to revert to the analog mode.

In most cases, RSA licensees, such as the Regional Carriers, have had their digital technology decisions “dictated” by the technology decision of their nearby major roaming partners. As a result, in many instances, RSAs located between major cities or along major traffic arteries have found that their digital technology choice is incompatible with at least one of those nearby major roaming partners. The continued reliance on analog as the “common denominator” has been the only means of ensuring that RSA customers can roam in any market regardless of the digital technology deployed.

The Regional Carriers can provide first-hand accounts of what would occur in their own markets without the analog compatibility standard. By way of example, NWMC’ s Missouri 1 -

^{7/}NPRM at 28.

Atchison market, obtains its switching services from the nearby Kansas City MSA operator, Cingular Wireless. The Kansas City and St. Joseph, Missouri MTAs represent the largest source of roaming traffic for NWMC. Because NWMC is switched by a carrier that has elected to deploy TDMA as its digital standard, and in order to be able to provide digital service to roaming traffic entering its market from its major roaming partner, NWMC elected to deploy TDMA digital service within its RSA. However, Missouri RSA 1 is surrounded by eight markets, licensed to multiple B-side carriers. Those carriers have elected to deploy a myriad of digital technologies.^{8/} In addition to these adjacent markets, NWMC is also influenced by other nearby MSAs. Specifically, Alltel provides B side CDMA service to the Omaha, Nebraska MSA, which is north of NWMC's market, along I-29 (through the Cellular 29 RSA). As one can easily see, while NWMC's host switch and markets to its south are TDMA digital, the balance of the surrounding markets, as well as the Omaha, Nebraska MTA, are all deployed as CDMA digital markets.

Similarly, MMC deployed TDMA technology in its RSA because its primary B-side roaming partner in Kansas City (again Cingular) had elected to deploy TDMA. The carriers in the surrounding market have made their digital elections which, at first glance, appear to be almost uniformly TDMA.^{9/} While this might lead to the conclusion that the multiple digital technology issue is of less concern to MMC, other factors have rendered the issue of significant concern to MMC. Subsequent to the deployment of its TDMA digital technology, MMC found itself in the situation where its primary roaming partner in Kansas City, (Southwestern Bell Mobile at the time) acquired Ameritech Mobile, which was MMC's direct competitor in Missouri RSA 7. Similarly,

^{8/}See Attachment A for map depicting the digital environment around NWMC.

^{9/}See Attachment B for map depicting the digital environment around MMC.

the A-side carrier in Kansas City, Verizon Wireless, found itself in the situation of directing its A-side roaming traffic in RSA 7 to what was now its direct competitor in the Kansas City MSA. The resulting shift in the competitive environment has resulted in a re-alignment of MMC's Kansas City roaming toward that of the A side carrier, Verizon Wireless. Verizon's Kansas City network utilizes the CDMA technology.

Finally, Cellular 29 is now migrating its network to CDMA digital out of a need to be compatible with its major roaming partners in Omaha, Nebraska and the surrounding RSAs to the north and east.^{10/} However, as soon as a Cellular 29 subscriber roams into the adjacent market to the south (Missouri RSA 1), the only digital service available in that market is TDMA.

These examples illustrate situations that have played out and continue to play out across the United States where the RSA licensees have made their digital technology choices based upon their primary roaming affiliations at the time while fully realizing that such a decision would relegate roaming to and from other adjacent markets to an analog mode because of incompatible digital technologies. Elimination of the analog compatibility requirement would result in the loss of roaming capabilities to and from many major markets by RSA subscribers. As such, the Commission must not rush to eliminate this requirement prematurely.

RSA carriers such as the Regional Carriers cannot even elect to address this issue by choosing the costly route of deploying both competing digital technologies (TDMA and CDMA) in their networks. While such deployment would ensure compatibility with *each* of the technologies deployed, it would *not* ensure the availability of *any* cellular service for any given RSA cellular subscriber. As discussed in more detail in II.A.2., below, there are no currently available mobile

^{10/}See Attachment C for map depicting the digital environment around Cellular 29.

telephone handsets which will handle both TDMA and CDMA signals. So, from the standpoint of the RSA customers, if the RSA carrier placed its cellular subscriber on its CDMA digital network, it would receive no service when it roamed to the MSA using TDMA technology, and vice-versa. In other words, the maintenance of the analog common denominator remains essential, even when every cellular market has deployed a digital technology, until such time as each of the incompatible digital technologies is deployed throughout the United States.

Significantly, it is imperative that the analog service requirements remain in effect for all markets. Although there is a high likelihood that the RSA systems would continue to deploy the standard analog technology into the foreseeable future even if the requirement were dropped, (which would obviate the loss of roaming for many of the major MSA markets as their MSA subscribers could still drop to analog service when they traveled to the RSA), the Regional Carriers fear that the MSA service providers that are looking for ways to maximize their available digital spectrum might well find it easier to eliminate their analog service offerings. Ironically, if the MSA markets were to elect to no longer maintain their analog service, the rural RSA service providers are the ones whose customers would face a loss of service in the major market areas. Accordingly, the Regional Carriers strongly believe that any elimination of the analog service requirement would be premature and most detrimental to the rural service subscriber.

While the Regional Carriers have presented these concerns in the context of small, regional cellular carriers, the Commission should recognize that elimination of the analog standards would effect not only carriers similarly situated to the Regional Carriers, but even large, "nationwide" PCS carriers. For example, the map and accompanying narrative discussion for the Sprint PCS' North American Calling Area featured on the Sprint PCS web site, depicts a substantial portion of the

geographic region of the United States as relying upon wireless coverage provided by other carriers, including cellular analog service providers, through roaming agreements. ^{11/}

The Commission notes that the “panoply of mobile telephone technologies and services are now available or under development.”^{12/} It is precisely this “panoply” of incompatible digital services which require the Commission to maintain the analog compatibility standards. While the NPRM assumes that carriers would voluntarily maintain the analog service as long as market conditions so dictated, the market conditions in the MSA are very different than the market conditions in the RSAs. Given the need for the analog service in the MSAs explained above, it is essential that the Commission not allow market conditions in the urban areas to mandate a loss of service and network viability in the rural markets. While the current state of digital deployments may result in a situation where the analog standard can be relaxed or eliminated in a future biennial review of its rules, the Regional Carriers respectfully submit that to do so at this time would be premature and contrary to the public interest of ubiquitous wireless service which has been the cornerstone of the Commission’s cellular rules since their development.

2. Current Availability of Dual and Triple Mode Mobile Telephones Does Not Eliminate the Need For the Analog Compatibility Standard.

The Commission requests comment on whether in light of some providers offering “dual or triple-mode mobile telephones that allow the customer to obtain roaming service from other providers who use different technologies, and the proliferation of competitive mobile telephone

^{11/}See coverage map and discussion under “Will my Sprint PCS Phone work or sound differently when roaming?”, at http://www1.sprintpcs.com/explore/coverage/RoamingCvrg.jsp?FOLDER%3C%3Efolder_id=2%2C185&bmForm=SprintPCSGeoNavLink&bmSubmit=go&bmUID=994084386058&bmHash=5dfc264f0a7b7b0c123cc7f6e5efe10e2878ff89 (last visited July 2, 2001).

^{12/}NPRM at ¶23.

services suggests that market forces may now provide a sufficient incentive for cellular providers to utilize compatible and/or interoperable technologies to meet consumer demand for nationwide operating capability.^{13/} This statement is based on the unfounded assumption that dual or tri-mode phones allow callers to switch among various digital protocols as a caller travels from one area to another. Dual-mode telephones can switch between analog and a single digital protocol in a single frequency band (e.g. 1900 MHz CDMA and analog, 800 MHz CDMA and analog, 1900MHz TDMA and analog or 800 MHz TDMA and analog). Tri-mode phones add an additional frequency band using the same digital protocol to the dual-mode capability (such as 800 MHz and 1900 MHz CDMA and 800 MHz analog). However, the Regional Carriers are not aware of any phones presently on the market that switch between two different digital protocols (e.g. 800 CDMA and 800 TDMA, or 1900 GSM and 800 TDMA).^{14/} For example, assume the rules requiring analog capability were eliminated. Further assume carriers must rely on currently available dual and tri-mode phones to allow for roaming among areas served by different digital protocols. Under this scenario a call originated in region A, on a TDMA network which travels to region B, where only a CDMA network

^{13/}NPRM at 24.

^{14/}*See* Nokia comparison of service providers, rate plans, phones and prices, showing which service providers sell which phones, as well as table showing all models of Nokia phones and their capabilities, at www.nokiausa.com/phones/1,2499,;;index,FF.html (last visited June 28, 2001). *See also* www.ericson.com/consumers/spg.jsp?page+frames, (last visited June 28, 2001); www.commerce.motorola.com/cgi-bin/ncommerce3/CategoryDisplay?cgrfnbr=1&cgmenbr=126 (last visited June 28, 2001); www.audiovox.com/cgi-bin/ncommerce3/ExecMacro/catalog_wireless_Telephones_handheld.d2w/input?cat=596 (last visited June 28, 2001); www.siemens.com/frameit.html?mobile_phones.html, and www.my-siemens.com/com.aperto/MySiemens/DCA/Standard/FrameContentRight/0,1651,2_S40_1_1_194_0,FF.html (last visited June 28, 2001); and www.kyocera-wireless.com/showroom/showcase/showcase.htm (last visited June 28, 2001 for further proof that there are no currently commercially available mobile telephones which will operate between or among the various digital protocols.

is in place would be dropped and not be able to re-initialize any cellular service. The same call under current rules would likely continue as the call traveled from region A to region B by switching to the analog standard, both regions' digital protocols maintain.

3. Any Perceived Incentive to Migrate to Digital Technology Created by Elimination of the Analog Compatibility Standard Would Be Outweighed By Incentive for Anti-Competitive Practices Related to Negotiation of Roaming Agreements.

Further, the Commission requests comment on whether eliminating the mandatory analog compatibility standard would make it easier for cellular carriers to migrate to digital technologies.^{15/} While few would argue that elimination of the need to support analog services would not free up spectrum to allow for a faster migration to digital services in the major markets, as explained above, even the full migration to digital would not address the issues inherent in a digital licensing scheme that fails to mandate any compatible nationwide digital standard. The regional Carriers submit that a more rapid deployment to full digital service, which results in many customers (especially RSA-based customers) no longer being able to obtain *any* service in major areas because the carriers in those areas have elected to deploy a digital standard incompatible with the digital standard deployed by their home carrier, would not be in furtherance of the public interest. The Regional Carriers urge the Commission to give very serious consideration to the impact of an FCC move to eliminate the long-standing analog compatibility requirements on all cellular licensees, and especially on MSA

^{15/}The Commission also seeks comment on whether eliminating analog compatibility standards would (1) make it easier for cellular carriers to migrate to digital technologies, thus freeing-up additional spectrum (§26); (2) have impact on charitable organizations who collect previously used cellular telephones to give to the elderly or others exclusively for 911 purposes; and (3) impact TTY users who must use analog technology because digital wireless systems are not currently compatible with TTYs (§ 30). While we do not focus our comments on these aspects of the NPRM, it is important to note first, that elimination of the analog compatibility standard would likely free-up little spectrum. Second, the impact of eliminating the standard obviously would be negative on analog-only donated phones, as well as TTY users who would not be able to utilize their mobile telephones at all absent the analog backbone.

licensees prior to the availability of handsets that ensure the continuation of ubiquitous cellular service in areas where analog subscribers have been able to obtain service for decades. While the FCC is considering doing so in an effort to “make it easier for carriers to migrate to digital technologies” (translated as not needing to reserve spectrum for analog operations), the Regional Carriers are concerned that the ability of the major markets to drop their analog service could have a substantial competitive impact on the RSA licensee. Moreover, the ability of the MSA licensee to even threaten to drop analog service could well be used to further pressure roaming concessions from RSA licensees who might otherwise risk a loss of all roaming capabilities with a strategic nearby market.

The Commission should remain cognizant of the fact that there remain millions of analog-only phones in the hands of consumers, notwithstanding the fact that digital rate plans routinely offer financial advantages over comparable analog usage. Indeed, there are still analog-only phones being sold in the marketplace today. Many subscribers, including the lower-usage subscribers that use their cellular phones primarily for personal security and emergency use, have seen no need (or advantage) to purchase new digital phones. Indeed, many of the analog phones have been provided to subscribers free of charge with service contracts while most digital phones require subscribers to pay for the phone as well. Just as the Commission was concerned over the economic implications if migrating to FM stereo radio would render obsolete thousands of FM mono radios, the rendering obsolete of millions of analog-only phones must also be of concern.

4. **The Commission Must Ensure That TTY Compatible Digital Services Are Available Prior to Eliminating Analog Service Requirements.**

As the Commission is well aware, significant issues apply with respect to the compatibility of TTY devices with current digital service offerings. While those issues are not directly applicable

here, it is significant to note that under the current rules, even where a TTY device cannot obtain service from a digital handset, the ubiquitous analog coverage ensures a continued avenue for wireless service access to this class of service user. Unless and until the TTY compatibility issues have been addressed, elimination of the analog service requirements could make the TTY access issue even more critical. The Regional Carriers submit that this also would be contrary to the public interest

B. Channelization Requirements Must Be Maintained.

Under the Commission's proposal in the NPRM, the basic channelization scheme for the original compatible analog cellular technology would be eliminated. Instead, the channelization plan would be removed and the remainder of the rule re-worded to specify only which portions of the electromagnetic spectrum are allocated to the cellular radio telephone services and what frequency ranges within that allocation make up the two initial blocks (A and B). This proposal to eliminate current channelization requirements further complicates the issues described herein. Rural carriers, such as the Regional Carriers, have already faced the issue of having to coordinate with incompatible channelization schemes in adjacent markets. Indeed, all of the Regional Carriers have been asked by Alltel Communications, who utilizes CDMA as its digital technology and its non-standard channelization scheme, to refrain from using 59 of their analog channels (or 177 of their TDMA channels) in order to allow Alltel to deploy its 1.25 MHz CDMA carrier adjacent to the Regional Carrier's markets. The elimination of the standard channelization plan would only further exacerbate this problem when, as Cingular and AT&T have announced, they intend to migrate their TDMA networks to GSM. A single GSM carrier is 200 KHz wide and would block the use of 7 analog or 21 TDMA digital channels. Carriers, such as the Regional Carriers that are sandwiched between CDMA and GSM networks could find themselves rapidly in a situation where the use of their own

spectrum within their own markets is significantly reduced. Accordingly, if the Commission were to modify its rules to allow for the deployment of digital technologies on non-standard channelization plans, the rules should expressly require that the carrier seeking to deploy such non-standard channelization has the obligation to protect the pre-existing standard channelization plan users in adjacent markets and take whatever steps are needed to avoid blocking the growth of the carrier that continues to utilize the standard channelization format.

Aside from the adjacent-market coordination problems discussed above, the introduction of third, incompatible digital technology (GSM), into the 800 MHz cellular band, should be fully considered in conjunction with the discussion of the elimination of the analog service requirement discussed above. While the move to GSM may or may not prove advantageous, the announced migration of the TDMA technology to GSM has already all but ensured that there will not be any TDMA/CDMA handsets manufactured (let alone TDMA/CDMA/GSM handsets). AT&T and Cingular have already announced their intention to move away from TDMA toward a GSM-based 3G technology. Network infrastructure providers such as Lucent Technologies and Nortel have, in response, already announced a discontinuance of any new feature development for their TDMA networks. Given that feature development for TDMA networks has been halted, even rural carriers that deployed TDMA and were content to continue maintaining those networks, will be forced to consider migration to alternative digital technologies in order to remain feature competitive. Accordingly, the future of the US-based TDMA technology is tenuous, at best.

However, the future of the current US CDMA digital technology is also far from certain. Verizon Wireless, the largest user of CDMA digital cellular in the United States, has announced that it is exploring a move to wCDMA for its 3G technology. The wCDMA, however, is actually the GSM 3G growth path and *not* the growth path for the current U.S. CDMA protocol. It is believed

that Vodafone's ownership in Verizon (and its current world-wide deployment of GSM technology) is what has spawned the consideration of the wCDMA 3G growth path by Verizon. In any event, the cellular digital technology road appears to be headed for a good deal of uncertainty and further evolution over the next few years. The loss of TDMA service areas and the introduction of GSM cellular service areas would only further heighten the need for maintaining the analog service requirement. Ironically, the move to GSM will put greater pressure on urban carriers to eliminate or drastically reduce their analog service offerings as they search for spectrum to use to complete the migration from TDMA to GSM. Accordingly, it remains all the more imperative that the Commission *not* allow carriers to eliminate the analog service at this critical juncture.

C. If the Commission Chooses to Modify the Cellular Technical Rules at this Juncture, New Rules Should Apply Only to New Sites.

The Commission tentatively concludes that it is unnecessary to retain its rules requiring the channelization plan used by the original analog cellular technology. The Commission states that “[b]ecause the older analog technology to which the channelization plan applies is well established nationwide, removing the plan from the rules would not pose any risk of decreased cellular technical compatibility. . . . [M]arket forces alone should be sufficient to cause CMRS carriers to continue to deploy systems that provide nationwide operating capability.”^{16/}

The Commission has recognized that there is a significant analog cellular subscriber base, and as such it asks if it should “consider alternatives to outright elimination, such as phasing out the requirement over time?”^{17/} As discussed herein, the Regional Carriers urge that it is premature to make any changes to the Cellular Technical Rules at this time. Indeed, rather than set a phase-out

^{16/}NPRM at 38.

^{17/}NPRM at ¶26.

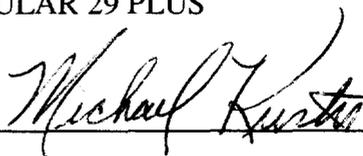
schedule at a time when all of the current cellular digital protocols are in a state of great flux, the Regional Carriers submit that the more prudent course of action would be to re-visit the issue during a future biennial rule review. However, if the Commission sees benefit in amending its rules to try to facilitate the movement of subscribers to digital technologies at this time, the Regional Carriers submit that a more prudent way to do so would be to limit the elimination of analog service requirements to new cell site deployments. In other words, the Commission should, for the foreseeable future, continue to require that areas that presently receive analog cellular service continue to receive such service in order to preserve the current “nationwide” analog footprint. However, as new cell sites are added to expand into new coverage areas, to increase system capacity or enhance in-building service in existing coverage areas, the carriers could be allowed to deploy digital-only coverage in those newly deployed cell sites. By so doing, the Commission would act to preserve the current level of analog service while adding incentive to users, through increased coverage and service offerings, to hasten the migration to digital service. Maintaining the current level of analog coverage would allow carriers to continue to roam on each others’ networks even where the digital technologies utilized are incompatible. This may well be even more critical given the rocky road ahead for digital cellular services over the next two years.

III. CONCLUSION

In light of the foregoing, the Regional Carriers urge the Commission to maintain its current analog compatibility and channelization standards. In the event the Commission decides to make modifications to those standards, any modifications should apply only to newly constructed cell sites. It is imperative to small cellular carriers and end users that the current coverage is maintained.

Respectfully submitted,

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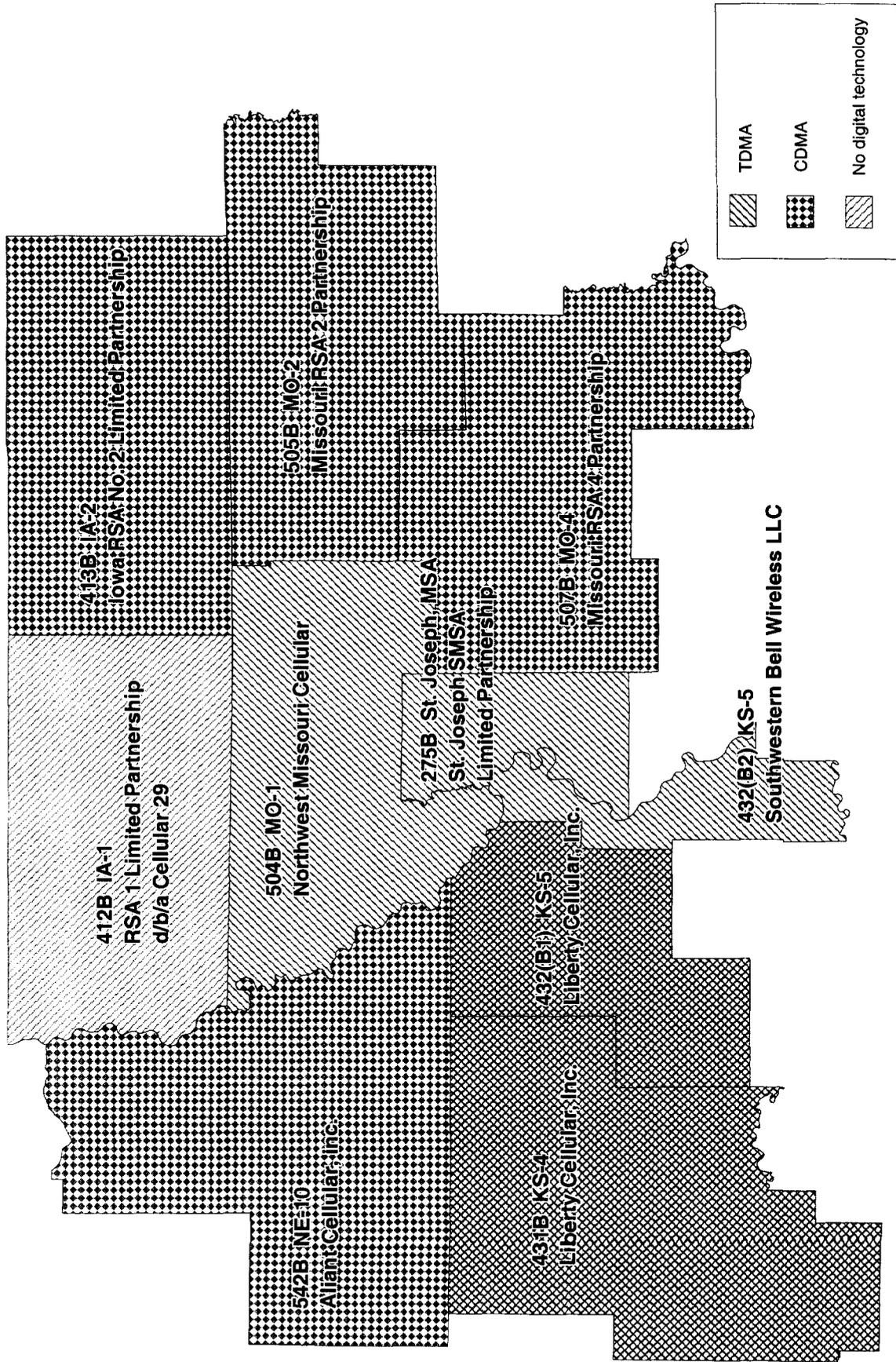
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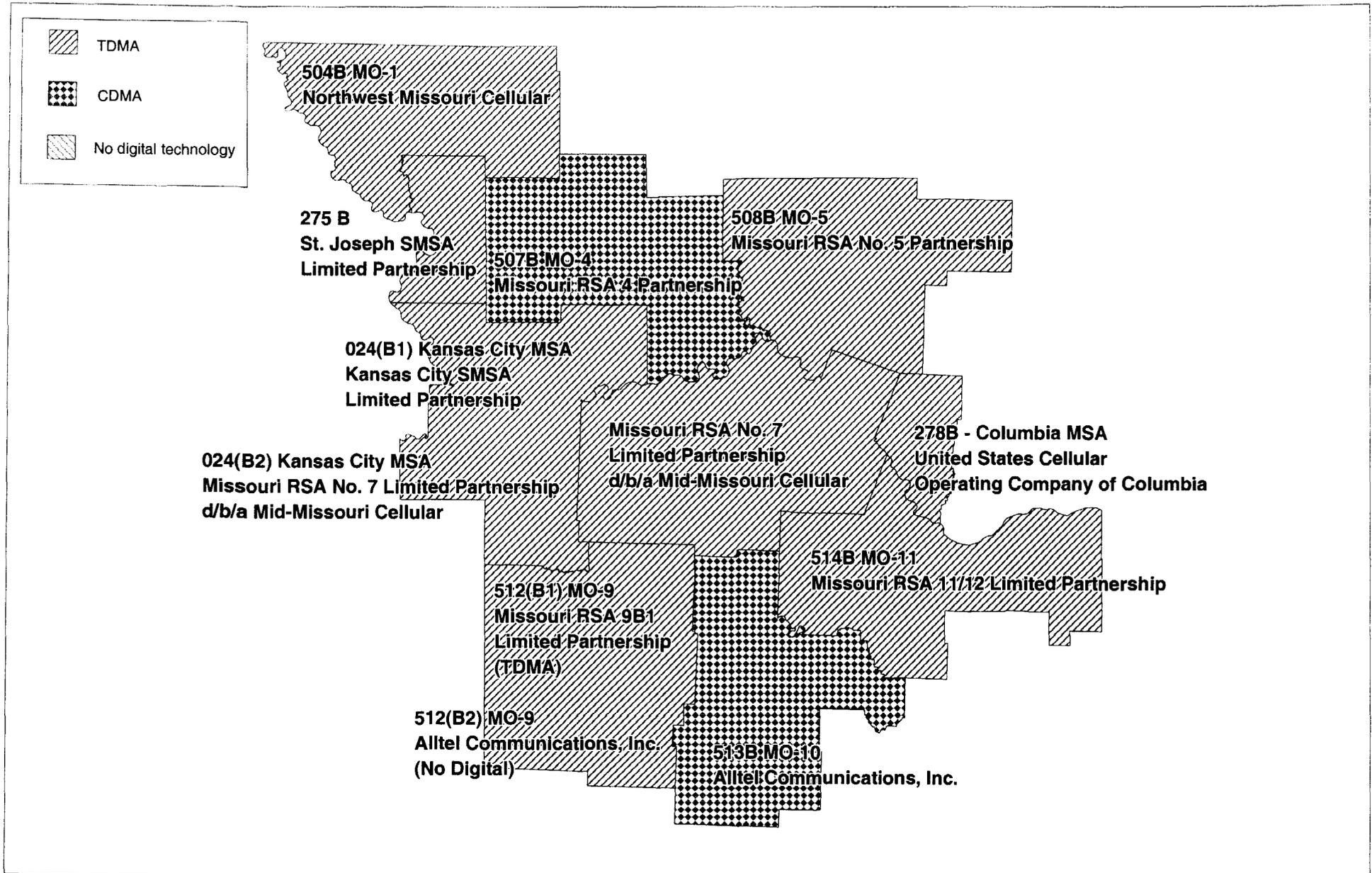
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July 2, 2001

Northwest Missouri Cellular and Surrounding Markets Showing Digital Technology



Missouri RSA7 Ltd Partnership and Surrounding Markets Showing Digital Technology



Attachment B

Cellular 29 Plus and Surrounding Markets Showing Digital Technology

