

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems)	ET Docket No. 00-258
)	
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use By the Mobile-Satellite Service)	ET Docket No. 95-18
)	
The Establishment of Policies and Service Rules for the Mobile-Satellite Service in the 2 GHz Band)	IB Docket No. 99-81
)	
Petition for Rulemaking of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service)	RM-9498
)	
Petition for Rule Making of UTStarcom, Inc., Concerning the Unlicensed Personal Communications Service)	RM-10024
)	

To: The Commission

REPLY COMMENTS

Blackfoot Telephone Cooperative, Inc., Midstate Communications, Inc., Midvale Telephone Exchange, Inc., and Penasco Valley Telephone Cooperative, Inc. (hereinafter the "Rural Commenters") hereby submit their joint reply comments in the above-captioned

proceeding.¹ After reviewing the comments in the Federal Communications Commission's ("FCC" or "Commission") Further Notice of Proposed Rulemaking ("FNPRM") to consider whether to reallocate additional spectrum bands below 3 GHz to advanced wireless services, the Rural Commenters continue to recommend that the Commission open the 1910-1930 MHz Unlicensed Personal Communications Service ("UPCS") band to services such as the "Community Wireless Network" concept developed by UTStarcom to facilitate local wireless deployment in rural, tribal, and underserved areas.² Specifically, based on the record in this proceeding, the Rural Commenters recommend that the Commission take the following actions:

1. Consider the 1910-1930 MHz on an expedited track separate from the other bands under consideration in the FNPRM. A significant number of commenters focused their remarks solely on this band, and most commenters generally agreed that allocating this spectrum to advanced mobile wireless services likely would cause interference in the adjacent PCS bands without sufficient guard band protection.³ As a result, the Commission should leave the UPCS spectrum unlicensed.

2. Allow voice communications in the 1910-1920 MHz asynchronous data sub-band. A large number of commenters—including UTAM and the equipment manufacturers—supported opening the 1910-1920 MHz sub-band to voice communications.⁴

¹ Blackfoot Telephone Cooperative, Inc., Midstate Communications, Inc., Midvale Telephone Exchange, Inc., and Penasco Valley Telephone Cooperative, Inc. each participated in this proceeding by filing separate comments on October 22, 2001.

² Petition for Rulemaking, RM-10024, Nov. 6, 2000, and initial comments of UTStarcom, Inc.

³ In addition to the Rural Commenters and UTStarcom, see, for example, initial comments of UTAM, Aviatel, RNI Communications, Avaya, and NEC America.

⁴ See initial comments of UTAM at 12, Nortel Networks at 3, Motorola, Inc., at 19, NEC America, Inc., at 23, and the Cellular Telecommunications & Internet Association ("CTIA") at 3.

3. Relax the spectrum etiquette for the 1910-1920 MHz sub-band. Because current UPCS vendors have made significant investments in isochronous voice equipment, the Commission should leave the current isochronous spectrum use etiquette in place for the 1920-1930 MHz band. This would also serve to retain that sub-band as a guard band for protecting PCS operations in the adjacent spectrum. However, the Commission should relax the etiquette currently in place for the 1910-1920 MHz asynchronous data sub-band. This would not preclude existing UPCS systems from operating across both sub-bands. And it would restrict those systems that do not comply with the isochronous etiquette to only 10 MHz of spectrum. Relaxing the etiquette would, however, allow deployment of inexpensive, globally standard systems that will result in economic factors that favor deployments in rural communities.

Extending the isochronous etiquette from 1920-1930 MHz to cover the entire band would (based on the record of equipment approvals in 1920-1930 MHz) result in very limited availability of product, and in product that would be proprietary to each vendor, as existing internationally standard equipment would be precluded from operating. For the most part, products currently available in the United States for unlicensed operation cost too much, and the cells are too small to allow for viable Community Wireless Networks. If these products were cost effective for this application, Community Wireless Networks could be deployed in the 1920-1930 MHz band using existing approved products.

4. Implement the proposed changes, which will maintain the guard band function of the UPCS band and not have any impact on licensed PCS operators. The products being considered for deployment are already operating under Part 24 rules in the 1895-1910 MHz half of the licensed PCS C-block spectrum (including the trial system operated by Midstate's

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