

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

In the Matter of)	
)	
Wireless Broadband Access Task Force)	GN Docket No. 04-163
Seeks Public Comment on Task Force Report)	
)	
)	
)	

**REPLY COMMENTS
of the
ORGANIZATION FOR THE PROMOTION AND
ADVANCEMENT OF SMALL TELECOMMUNICATIONS COMPANIES
and
THE RURAL TELECOMMUNICATIONS GROUP**

The Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) and the Rural Telecommunications Group (RTG) hereby submit these reply comments on the Wireless Broadband Access Task Force's Report.¹ OPASTCO is a national trade association of over 560 small telecommunications carriers serving rural areas of the United States. Its members, which include both commercial companies and cooperatives, serve over 3.5 million customers. All of OPASTCO's members are rural telephone companies as defined in 47 USC §153(37).

Approximately 85 percent of OPASTCO's member companies offer high-speed or broadband data services to consumers. Of these, 20 percent do so using unlicensed

¹ *Wireless Broadband Access Task Force Seeks Public Comment on Task Force Report*, Public Notice, GN Docket No. 04-163, DA 05-610 (rel. March 8, 2005).

wireless technology, while four percent use licensed wireless spectrum. Additionally, nearly one-half of OPASTCO's members provide mobile wireless voice services.

RTG is a Section 501(c)(6) trade association dedicated to promoting wireless opportunities for rural telecommunications companies through advocacy and education in a manner that best represents the interests of its membership. RTG's members have joined together to speed delivery of new, efficient, and innovative telecommunications technologies to the populations of remote and underserved sections of the country. RTG's members provide wireless telecommunications services, such as cellular telephone service and Personal Communications Services, among others, to their subscribers. RTG's members are small businesses serving or seeking to serve secondary, tertiary and rural markets. RTG's members are comprised of both independent wireless carriers and wireless carriers that are affiliated with rural telephone companies.

Many of RTG's members either are providing or are looking to provide wireless broadband services. The 700 MHz spectrum band is ideally suited for such services. In many cases, wireless may be the only broadband solution for remote and hard-to-reach rural regions.

II. ACCESS TO LICENSED SPECTRUM CONTINUES TO PROVE CHALLENGING FOR RURAL LECS

OPASTCO and RTG commend the Task Force for its thorough examination of the status of wireless broadband technologies, markets, and services. However, OPASTCO and RTG agree with comments submitted by the National Telecommunications Cooperative Association (NTCA) indicating that small, rural LECs have difficulty obtaining licensed spectrum, "either through auctions or secondary market

activities.”² NTCA correctly points out that the report’s assessment of the utility of secondary markets does not match the experiences of rural LECs.³

The Task Force Report states that under secondary markets provisions, “a carrier with a nationwide license can, without significant transactions costs, lease or sell spectrum to rural carriers to build networks in rural areas.”⁴ However, OPASTCO and RTG members indicate that most attempts to obtain licensed spectrum, either through sale or lease, from nationwide license holders for use in a small geographic market, are not successful. Nationwide and regional license holders have little, if any, incentive to deal with small carriers with limited serving areas. Companies holding national or regional spectrum licenses are generally not interested in partitioning spectrum in increments that would be appropriate for rural LECs.

Only four percent of OPASTCO members that provide high-speed and broadband services do so using licensed spectrum.⁵ In contrast, 20 percent do so using unlicensed spectrum.⁶ Although there are lower costs and other benefits associated with using unlicensed spectrum, licensed spectrum is often preferred in order to minimize interference issues and offer a higher quality of service. The fact that so few OPASTCO members use the preferred licensed spectrum illustrates that access to this spectrum remains problematic. Increased availability of licensed spectrum to rural LECs may spur the deployment of more wireless broadband solutions in rural areas.

² NTCA, pp. 2-4.

³ *Ibid.*

⁴ “Connected & On the Go: Broadband Goes Wireless,” Report by the Wireless Broadband Access Task Force, Federal Communications Commission, February 2005, p. 51.

⁵ OPASTCO Comments, *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996*, GN Docket No. 04-54, Notice of Inquiry, FCC 04-55 (fil. May 10, 2004), p. 3.

III. CONCLUSION

OPASTCO and RTG applaud the Task Force for its work and the overall thoroughness of its Report. Wireless broadband technology has great potential to bring many benefits to rural consumers. In order for it to fulfill this potential, the next step for policymakers should be to help improve access to licensed spectrum for the rural LECs that have demonstrated their commitment to offering advanced services to their communities.

⁶ *Id.*

Respectfully submitted,

**THE ORGANIZATION FOR THE
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