

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

In the Matter of	)	
	)	
Service Rules for the 698-746, 747-762 And 777-792 MHz Bands	)	WT Docket No. 06-150
	)	
Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	
Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones	)	WT Docket No. 01-309
	)	

**NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION  
REPLY COMMENTS**

The National Telecommunications Cooperative Association (“NTCA”) hereby submits these reply comments in response to the Federal Communications Commission’s (Commission’s) Notice of Proposed Rulemaking, Fourth Further Notice of Proposed Rulemaking, and Second Further Notice of Proposed Rulemaking in the above referenced proceeding (Notice) and the accompanying initial regulatory flexibility analysis.<sup>1</sup> Since filing comments in this proceeding, NTCA has participated in discussions with a broad range of parties interested in this spectrum. NTCA supports the 700 MHz consensus plan as described below.

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<sup>1</sup> Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, WT Docket No. 06-150, *Notice of Proposed Rulemaking*, Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Fourth Further Notice of Proposed Rulemaking*, and Section 68.4(a) of the Commission’s Rules Governing Hearing Aid-Compatible Telephones, WT Docket No. 01-309, *Second Further Notice of Proposed Rulemaking*, FCC 06-114 (rel. Aug 10, 2006).



**Lower 700 MHz Band**

698	704	710	716	722	728	734	740	746
A	B	C	D	E	A	B	C	
CH. 52	CH. 53	CH. 54	CH. 55	CH. 56	CH. 57	CH. 58	CH. 59	

<u>Block</u>	<u>Frequencies</u>	<u>Bandwidth</u>	<u>Pairing</u>	<u>Area Type</u>	<u>Licenses</u>
A	698-704, 728-734	12 MHz	2 x 6 MHz	REAG	12
B	704-710, 734-740	12 MHz	2 x 6 MHz	CMA	734
C	710-716, 740-746	12 MHz	2 x 6 MHz	MSA/RSA	734*
D	716-722	6 MHz	unpaired	700 MHz EAG	6*
E	722-728	6 MHz	unpaired	REAG	12

**\*Blocks have been auctioned.**

The plan provides for two blocks of spectrum each to be auctioned according to EAs, REAGs and CMAS. The plan serves the needs of various sizes and classes of competitors, thus advancing the goals of promoting economic opportunity and competition, and of disseminating licenses across a wide variety of applicants, expressed by Congress in Section 309(j) of the Communications Act. NTCA urges the Commission to adopt the Consensus Proposal for reconfiguring the 700 MHz band, which will facilitate competition and accelerate deployment of wireless, voice, data and video services in rural America.

**II. THERE IS INDUSTRY SUPPORT FOR A SPECTRUM SET ASIDE FOR SMALL BUSINESSES**

In its original comments, NTCA supported a spectrum set-aside in the 700 MHz auction. The Association argued that a set aside is necessary to ensure that Section 309(j)'s Congressional objective is achieved and small businesses have the opportunity to provide service in the 700 MHz band. NTCA submits that, consistent with the band plan proposed above, bidding on the Lower 700 MHz B block should be limited to only those carriers who qualify as small businesses

or very small businesses. Although the Commission did not seek comment on a spectrum set aside, three additional parties request a spectrum set aside. Council Tree Communications, Inc., the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO), and the Rural Telecommunications Group (RTG) all suggested the Commission limit bidding on a block of spectrum to only parties who meet specific criteria. Council Tree argues that a spectrum be set aside for bidding by only small or very small businesses.

OPASTCO and RTG support limiting bidding to qualified entities on “entrepreneurs blocks” similar to the processes used in previous auctions. NTCA agrees with these commenters that bidding credits alone are not enough for small carriers to make up for the disparate resources of larger carriers. It is not possible for a smaller carrier to effectively compete with a larger carrier at auction. Meaningful opportunities for small carriers can only be had if the Commission limits the pool of potential bidders. NTCA, therefore, urges the Commission to adopt a spectrum set-aside for small or very small businesses in the 700 MHz auction.

### III. CONCLUSION

For the above mentioned reasons, NTCA urges the Commission to adopt the Consensus Proposal for the 700 MHz Band Plans and adopt a set-aside for the Lower 700 MHz B Block as an “entrepreneur’s block” to be bid on only by qualifying small or very small businesses.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Reply Comments of the National Telecommunications Cooperative Association in Docket Nos. WT 06-150, CC 94-102 and WT 01-309, FCC 06-114 was served on this 20th day of October 2006 by first-class, United States mail, postage prepaid, or via electronic mail to the following persons:

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