

Comments from Exalt Communications, Inc.

Re: FCC NPRM 07-85

Amendment of Part 90 of the Commission's Rules, WP Docket No. 07-100

(1) In Paragraphs 19-22 of NPRM 07-85, the FCC requests comments on whether permitting permanent fixed point-to-point (PTP) installations that are part of an integrated network with scalable network architecture that allow for dynamic routing of traffic over both fixed and mobile links should be granted primary status in the band.

Exalt Communications agrees that permanent fixed PTP installations that are part of an integrated network with scalable network architecture that allow for dynamic routing of traffic over both fixed and mobile links should be granted primary status, additionally, Exalt Communications wishes to suggest that there should be no distinction between fixed links that are part of an integrated network with a scalable network architecture that allow for dynamic routing and any fixed PTP application that meets the requirements of the band.

Exalt Communications does not feel that granting permanent fixed PTP installations that meet the requirements of the band will compromise the ability of the public safety agencies to utilize the band. Allocating fixed PTP installations to exist on a primary basis would encourage the installation of permanent networks that would reduce the need for incident deployments of networks in areas with existing networks.

Exalt Communications does not believe that permitting fixed PTP installations would come at the expense of maintaining adequate spectrum for mission-critical public safety mobile operations because the fixed PTP networks are focused, narrow wireless transmissions that are installed in locations considerably higher above the ground when compared to the mobile applications that are likely to be used for "incident" mobile scene operations. The use of the spectrum by fixed PTP applications is not expected to interfere with lower altitude point-to-multipoint (PTMP) applications that are deployed on a permanent or incident basis. By having fixed, PTP fixed links allocated on a primary basis, there would be enhancement, development, and growth of the public safety networks for first responders to communicate with mobile users on public safety missions. Having the fixed PTP backhaul architected and installed on the same band as the PTMP installations that are deployed on a primary basis would provide network optimization on a permanent basis.

We understand the concerns of the Commission with regard to mobile and hot spot incident scene and emergency installations needing access to the public safety band and we urge the Commission to include fixed PTP installations that not only are part of an integrated network, but also those that meet the requirements of the band. Permitting network expansion to include installations that meet

the requirements of the band would reduce the need for emergency and incident scene installations.

Exalt Communications encourages the Commission to consider that the band has been assigned to the public safety sector and the use of the band should be encouraged. Not permitting fixed PTP installations as primary in the band would cause licensees to use the already congested license bands for applications. The requirements should not preclude the use of the band for such installations that are defined as suitable for use on this spectrum. Users of the band are coordinating PTMP installations and the same priority should be given to PTP installations.

§90.1207 (c) should be revised as follows:

A 4940-4990 MHz band license give the licensee authority to operated base and mobile units (including portable and handheld units), point-to-point fixed stations, and point-to-multipoint fixed stations in the licensee's public safety network, or between public safety networks, operating in the 4940-4990 MHz band, and operate temporary (1 year or less) fixed stations anywhere within the area authorized by the license. Such licenses may operate base and mobile units and/or temporary fixed stations outside their authorized area to assist public safety operations with the permission of the jurisdiction in which the radio stations is to be operated. Base and temporary fixed stations are subject to the requirements of paragraph (b) of this section.

(2) §90.1215 currently specifies tests for Peak and Average Output Power and Peak Power Spectral Density. These tests currently included in §90.1215 suitably and sufficiently represent output power. Exalt's opposition to this addition contains three elements. First, there does not appear to be technical rationale for the proposal to add the additional Peak Excursion Ratio. The basis for the addition of this test is that it is used in §15.407. There are differences in the CFR for the very reason that manufacturers develop products for different applications, however, all are evaluated to the same clauses. Second, it should be noted and brought to the attention of the Commission that in order to comply with the Peak Excursion Ratio in §15.407, some manufacturers insist that the average power testing be conducted when product is cold, thereby increasing the average power reading. Since the average power is used as the lower threshold of the Peak Excursion Ratio, the determination for the Peak Excursion yields acceptable results when it would otherwise be found to be not compliant with the requirement in §15.407. Measuring the peak power over a 1 MHz bandwidth on a 20 MHz signal does not accurately reflect the effective peak power of the product. We urge the Commission to develop a more comprehensive test based on measuring the average power after the product has been in full transmit mode for a standard period of time, over a bandwidth relative to the signal bandwidth to ensure equalization of test results. Until such time that there is a consistent, equalized test in §15.407, it should not be introduced into §90.1215. Third, the measurement uncertainty for Peak Excursion is up to 3 dB. In some corner cases, due to test equipment differences that would limit the Peak Excursion to approximately 10 dBm peak to average, which would in many cases be the limiting factor for power level, rather than the more typical limitation by Peak Power Spectral

Density.

In summary, Exalt Communications would support a test that has sufficient technical rationale, is repeatable and clearly specified, and has sufficient measurement uncertainty.

We appreciate the opportunity to comment on this important docket.

Respectfully submitted,

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