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August 24, 2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

**Re: WT Docket No. 07-54, *Antenna Requirements for the 10.7 -11.7 GHz Band***

Dear Ms. Dortch:

On behalf of FiberTower Corporation, I am electronically filing this notice of an oral *ex parte* communication pursuant to Section 1.1206(b)(2) of the Commission's Rules.

Yesterday Joseph Sandri of FiberTower and I met separately with Erika Olsen of Chairman Martin's office, Renee Roland Crittendon of Commissioner Adelstein's office, and Wayne Leighton of Commissioner Tate's office. A summary of our presentation is attached.

Please do not hesitate to call with any questions.

Respectfully submitted,

Mitchell Lazarus  
Counsel for FiberTower Corporation

cc: Meeting participants  
Bruce D. Jacobs, Esq., Glenn S. Richards, Esq., Counsel for Mobile Satellite Ventures

**FIBERTOWER CORPORATION**  
**SUMMARY OF EX PARTE PRESENTATION**  
**AUGUST 23, 2007**

**WT Docket No. 07-54**

**1. MSV feeder link stations:**

MSV requests special provisions to protect feeder link earth stations.

- a. MSV's predecessor, AMSC, agreed to use 11 GHz feeder links under the existing coordination rules:

"[AMSC] believes that the MSS earth stations, which will follow the coordination procedures contained in 47 C.F.R. § 25.203, can coordinate operations successfully with CARS [in the Fixed Service] by using various techniques (e.g., shielding) to reduce the potential for interference and by using power flux density (e.i.r.p.) limits generally lower than terrestrial microwave systems." *Land Mobile Satellite Service for the Provision of Various Common Carrier Services*, 4 FCC Rcd 6041 at para. 67 (1989).

- b. Existing coordination procedures give MSV adequate protection.

MSV argues that incoming signals are looked at individually, not in the aggregate; but interference criteria are set to take into account possible multiple exposures. *See* ITU-R SF.1006 (1993).

- c. MSV can add extra shielding if needed (at a small fraction of the \$25M earth station cost).
- d. The request is outside the NPRM and thus barred by the APA.

**2. Other satellite opposition**

A few satellite interests argue that proliferation of smaller fixed service antennas will make coordinating earth stations more difficult

- a. This is a fact of life in a shared band. (*E.g.*, the fixed service is locked out of 4 GHz due to heavy satellite use.)

- b. The Commission deliberately limits satellite use of the 11 GHz band to international communications so as to further fixed service deployment.

*E.g., Amendment of Part 2 of the Commission's Rules, 39 F.C.C.2d 959 at para. 37 (1973) (anticipated profusion of earth stations coupled with growth of terrestrial microwave stations expected to create severe problems if domestic satellite service were permitted co-use of 10.7-11.7 GHz).*

- c. Claims that small antennas will cause interference due to "pointing errors" are incorrect (and lacking any support) -- were it to occur, mispointing would be a violation of FCC rules requiring immediate correction.
- d. As to claims of aggregate interference, see 1(b) above.

**3. Proposal to split the 11 GHz band between satellite and fixed service**

- a. Proponents have not advanced any evidence that this step is necessary or otherwise in the public interest.
- b. There have been no serious problems in coordinating between satellite and fixed service.
- c. The proposal is far outside the scope of the NPRM and thus barred by the APA.