

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Service Rules for Advanced Wireless Services) WT Docket No. 07-195
In the 2155-2175 MHz Band)

**COMMENTS
OF THE
NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION**

The National Telecommunications Cooperative Association (“NTCA”) submits these comments in response to the above referenced *Notice of Proposed Rulemaking*¹ in which the Federal Communications Commission (“Commission”) seeks comment on service rules for licensed fixed and mobile services, including Advanced Wireless Services (“AWS”), in the 2155 – 2175 MHz Band (“AWS-3”). NTCA is a national association representing more than 570 rural telecommunications providers. While NTCA’s members are all rural incumbent local exchange carriers, most provide their rural communities with a broad array of telecommunications services, including wireless service.

NTCA’s membership is very much interested in spectrum opportunities. Rural telephone companies use spectrum in a variety of ways. Some members use spectrum to provide a fixed broadband product, offering an economical voice and data product to very rural customers who may not be reached otherwise. Other members offer fixed wireless service that supplements their voice and DSL offering and still others use spectrum primarily as a means to provide a mobile product. Rural telephone companies view

¹ Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, *Notice of Proposed Rulemaking*, WT Docket No. 07-195, FCC 07-164 (rel. September 19, 2007).

spectrum as an important part of the services they offer and essential to the viability of the rural communities they serve. To that end, NTCA's position on the AWS-3 spectrum is that it be offered in a way that maximizes small company opportunities to provide wireless service to rural communities. NTCA believes maximum flexibility for service offerings and small license territories, if the spectrum is auctioned, will help achieve the goal.

However, NTCA is concerned that the Commission is rushing a rulemaking on this spectrum. While NTCA supports the goal of getting this spectrum into the hands of licensees as soon as possible, the Commission must take care to offer well-reasoned rules, based on a full and complete record. NTCA cannot, at this time, provide a full analysis of the proposals offered. Much of what we will have to say will depend on the outcome of the 700 MHz Band auction.

The 700 MHz auction has not begun. NTCA does not have an idea of how many small businesses elected to participate and cannot predict whether they will be successful. NTCA does not know how the various and dramatic policy determinations and rule changes associated with the 700 MHz auction will impact the ability of small, rural telephone companies to obtain the spectrum. We cannot offer an opinion on what rules will or will not facilitate small company participation in the AWS-3 spectrum, or the level of importance our members will place on the opportunity. If small companies are largely unsuccessful in the quest for 700 MHz spectrum, the debate about AWS-3 will be vastly different from what it will be if small companies are successful. The outcome of the 700 MHz auction will dramatically influence NTCA's positions with respect to many of the questions posited in the subject *Notice of Proposed Rulemaking*.

NTCA believes that the Commission should not rush, at the urging of one company, to adopt an order on the AWS-3 spectrum. NTCA recommends that the Commission accept comments again, perhaps refreshing the record, at the conclusion of the 700 MHz auction. At the very least, NTCA respectfully requests that the Commission postpone making any decisions about AWS-3 until after interested parties have had the opportunity to analyze the 700 MHz auction results and offer their suggestions and opinions on AWS-3 in the form of *ex parte* presentations.

Respectfully submitted,

NATIONAL TELECOMMUNICATIONS
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December 14, 2007

CERTIFICATE OF SERVICE

I, Adrienne L. Rolls, certify that a copy of the foregoing Initial Comments of the National Telecommunications Cooperative Association in WT Docket No. 07-195, FCC 07-164, was served on this 14th day of December 2007 by first-class, United States mail, postage prepaid, or via electronic mail to the following persons:

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