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August 1, 2008

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

Re: **Notice of *Ex Parte* Presentation**
ET Docket Nos. 04-186 and 02-380

Dear Ms. Dortch:

On July 31, 2008, the Wireless Internet Service Providers Association ("WISPA"), represented by John Scrivner, Jack Unger, Tom DeReggi, Dan Lubar and Tony Morella, and undersigned counsel to WISPA, met with Wayne Leighton, Special Advisor to Commissioner Deborah Taylor Tate, to discuss issues related to the television white spaces proceeding.

WISPA highlighted the points contained in the attached presentation, which was distributed at the meeting. Among other things, WISPA introduced its proposal that the Commission adopt a "license-lite" approach for white spaces that would facilitate accelerated development of wireless broadband services to Americans rural and underserved areas while protecting broadcasters and wireless microphone devices from harmful interference.

Pursuant to Section 1.1206 of the Commission's Rules, this notice is being filed via ECFS in the above-referenced proceedings. Please direct any questions regarding this notice to the undersigned.

Sincerely,

Stephen E. Coran

Enclosure

cc: Wayne Leighton

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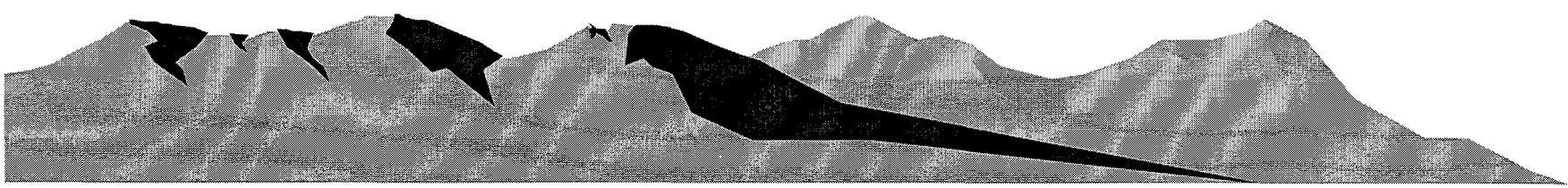
Wireless Internet Service Providers Association (WISPA) Presentation to FCC Commissioners

July 31, 2008



Introduction

John Scrivner

Founding member of WISPA; WISPA Director and Treasurer; Owner – Mt. Vernon Net, Mt.Vernon, IL.

Tom DeReggi

WISPA Director; Founder Rapid DSL.Net,Germantown MD.,

Dan Lubar

Founder & Managing Partner, RelayServices, Boulder, CO

IEEE 802 Voting Member, Consultant & Analyst

Tony Morella

CEO – DeMarc Technology Group; Wireless Equipment Manufacturer, Trenton, ME. IEEE 802.22 Working Group

Jack Unger

FCC-licensed for 50 years; President, Ask-Wi.Com; WISPA Director and Secretary; Chair of WISPA FCC Committee

Who WISPA Represents

- Wireless Internet Service Providers (WISPs) have existed since 1995.
- WISPA was formed in 2004 to represent the interests of WISPS and customers.
- The WISPA Board is made up of seven members who serve one-year terms, voluntarily without pay.
- WISPA members provide broadband (fixed) wireless Internet access directly to approximately 125,000 unique end-user locations in both urban and in underserved rural areas.

Who WISPA Represents

- If there are an average of two Internet users at each location then WISPA members serve 250,000 Americans.
- There are an additional 900,000 end-user locations served by WISPs who are not yet WISPA members for a total of 1,000,000 unique end-user locations serving approximately 2,000,000 U.S. Americans.

Who WISPA Represents

- We can NOT AFFORD to acquire spectrum through SPECTRUM AUCTIONS. We serve FIXED wireless locations not cellular handsets.
- We use congested, interference-prone, license-free spectrum not clean, licensed spectrum.
- The limited amount and interference-prone nature of license-free spectrum limits the number of people who we can serve and the amount of bandwidth that we can reliably deliver.

Why Our Industry is Threatened

- License-free spectrum is a victim of its own success; it keeps getting more congested which keeps degrading the quality of service that we can deliver.
- We are nearing the limit of the number of people that we can serve with existing license-free spectrum.
- Recent spectrum allocations are appreciated but because of microwave propagation characteristics, line-of-sight limitations and power limitations are merely a “drop-in-the-bucket” in terms of meeting the needs of our customers.

Why We Are Here

- WISPA is interested in the benefits of LICENSED-LITE services to solve interference issues and to migrate customers to more reliable and robust platform for fixed broadband.
- TV White Space spectrum will enable WISPs to serve Americans who may have no other access to broadband Internet access.
- Non-exclusive LICENSED-LITE services enable WISPs to self-manage and to address interference issues.

Why We Are Here

- WISPA is concerned that AUCTIONS will only increase the incumbent concentration to the detriment of local companies, new entrants, entrepreneurs and end-users.
- WISPA is concerned that unlicensed use of the TV WHITE SPACE spectrum will result in a repeat of the current congested, unlicensed environment.
- LICENSED-LITE rules for 3650 MHz Service have been useful to WISPs, with hundreds of base stations deployed in less than a year.

WISPA's Proposals

- Ideally, WISPA's proposals are designed to eliminate interference between all LICENSEES.
- WISPA supports allowing LICENSED-LITE TV white space use to provide service for FIXED customers by using both point-to-multipoint and point-to-point systems.
- WISPA supports technical rules that provide protection for LICENSED TV broadcasters and other incumbents (wireless microphones, etc.) from LICENSED-LITE WISP operations.

WISPA's Proposals

- WISPA proposes that TV White Space spectrum NOT BE AUCTIONED.
- AUCTIONS DON'T WORK because…
  - Concentrates the power of incumbents
  - Delays service availability
  - Increases customer costs which must be set high enough to cover both the HUGE AUCTION costs and the network deployment costs.
- WISPA proposes that LICENSED-LITE LICENSES be assigned under non-exclusive rules similar to those adopted and successfully being used in the 3650 MHz Service.

WISPA's Proposals

- WISPA proposes that LICENSED-LITE BASE STATIONS be required to register with the FCC to allow identification in cases where interference-mitigation may be needed.
- LICENSED-LITE…
  - Lowers barriers to entry
  - Creates opportunities for entrepreneurs
  - Promotes local business opportunities and service to local communities
  - Accelerates service to rural and underserved Americans
  - Enables industry cooperation rather than detailed government oversight

WISPA's Proposals

- WISPA proposes promoting diversity of broadband media ownership by limiting the number of base stations held by one organization.
- Ideally WISPA proposes allowing outdoor power levels high enough to allow a 20-mile NLOS coverage distance from each access point.
- WISPA recommends that WISPs be required to initially use "Good Faith" coordination to avoid WISP-to-WISP interference.

WISPA's Proposals

- WISPA believes that the use of LICENSED-LITE in the TV White Space spectrum maintains the advantages of unlicensed use of spectrum while removing many of the disadvantages of unlicensed spectrum.

Benefits That WISPA's Proposal Can Deliver

- Faster Broadband Internet Access Service deployment for un-served and underserved Americans.
- Faster economic development of rural America as people are able to work and contribute to the global economy from home and from rural business locations.
- Competition, growth and investment in the WISP industry.

Benefits That WISPA's Proposal Can Deliver

- Helps restore balance to the economy by encouraging local entrepreneurs.
- Greater educational development of rural America as people are able to study and learn from home.
- A reduction in global warming as people are able to work, learn and telecommute from homes and farms.
- A reduction in our nation's dependence on foreign oil.

In Summary

- We are the interference-avoidance experts but interference limits and propagation limits have us up against the wall.
- AUCTIONS HAVE NOT WORKED in the past to provide broadband Internet access to millions of Americans.
- LICENSED-LITE (non-exclusive licensing) in the TV White Spaces similar to current LICENSED-LITE in 3650 MHz will breathe new life into the Internet industry and into the American economy.

Thank you for meeting with us!

WISPA

board@wispa.org