



Rural Cellular Association

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October 27, 2008

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
12th Street Lobby, TW-A325
Washington, D.C. 20554

**Re: Written Ex Parte Presentation
ET Docket No. 04-186**

Dear Ms. Dortch:

The Rural Cellular Association (“RCA”) hereby supports the proposal of Aloha Partners, L.P., submitted in a letter to Chairman Martin dated October 10, 2008. The Aloha proposal details a balanced approach for both licensed and unlicensed bands of TV White Space. It promotes efficient use of White Space spectrum by licensed providers and ensures provision of broadband services in rural areas. At the same time, an unlicensed band of White Space spectrum will enable providers to deliver low cost services to consumers in those few, limited places where capital investment in an unlicensed system is justified.

RCA endorses Aloha’s proposal for division of White Space spectrum into three blocks of channels:

<u>Channels</u>	<u>Governance</u>	<u>Permissible Uses</u>
Channels 2-20	Part 27	Licensed - restricted to 1-way video and 2-way point-to-point applications
Channels 21-36	Part 15	Unlicensed - low power 2-way devices and wireless microphones
Channels 38-51	Part 27	Licensed - multiple uses, including 2-way mobile voice, data and video applications

RCA also supports Aloha's proposal to auction Channels 2-20 and Channels 38-51 in blocks by geographic area:

Block A (Channels 2-4)	Nationwide
Block B (Channels 5 & 6)	Economic Areas
Block C (Channels 7-13)	Cellular Market Areas
Block D (Channels 14-20)	Cellular Market Areas
Block E (Channels 38-41)	Economic Areas
Block F (Channels 42-47)	Cellular Market Areas
Block G (Channels 48-51)	Cellular Market Areas

RCA finds that these special channel groupings offer a unique opportunity for rural service providers to take responsibility for spectrum and devote resources to innovative services. RCA members will be able to develop business plans for use of White Space spectrum that will enhance offerings to customers and expand service areas. With the assurance of spectrum licenses, service providers can manage interference potential and position infrastructure to its highest use. In that context, RCA concurs with Aloha's recommendation that OET-69 adjacent channel waivers be permitted for video and mobile TV applications as long as *de minimis* interference does not exceed 2%, and that power levels for Channels 38-51 be limited to 1000 watts in urban areas and 2000 watts in rural markets.

RCA has consistently advocated a licensed framework for deployment of White Space. RCA was not prepared to tolerate unlicensed use until it reviewed the concrete proposal presented by Aloha. The Aloha compromise satisfies two essential elements of a successful White Space policy: (1) use of White Space to expand broadband deployment in rural areas; and (2) interference protection for existing authorized services in the TV band.

Rural deployment is advanced by the use of licensed White Space bands to deliver last-mile consumer broadband deployment and by measures that will protect authorized operations and encourage investment. The propagation characteristics of licensed White Space make it ideal for last-mile services in rural areas. Investors and service providers prefer last-mile wireless broadband networks that rely on exclusive-use, licensed spectrum. They are willing to pay for exclusive spectrum rights at auction, in service to national interests as economic downdrafts challenge the U.S. Treasury. Allocation of licensed spectrum also preserves the billions of dollars invested in the Commission's 700 MHz auctions.

Although the interference potential of unlicensed White Space spectrum does not offer sufficient promise to justify investment in last-mile broadband networks, it does offer to high technology communities an arena for development of short-range local area networks and invention of unlicensed cognitive devices. Testing by the OET's Laboratory Division recently satisfied concern that spectrum sensing combined with geo-location and database access techniques can be used to authorize equipment under

