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October 28, 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 October 27, 2008, the Wireless Internet Service Providers Association ("WISPA"), represented by its Secretary and FCC Committee Chair, Jack Unger (by telephone), and its counsel, Robert Rini and the undersigned, met with Wayne Leighton, legal advisor to Commissioner Deborah Taylor Tate, to discuss WISPA's **"licensed-lite" approach for fixed rural broadband service**. This "common ground" approach will promote accountability and help ensure shared, non-interfering use of the band by broadcasters, wireless microphones, WISPs, network interconnection and personal/portable devices.

WISPA discussed the points contained in the attached presentation. WISPA:

- highlighted the benefits of a base station registration process that would create a geolocation database to protect incumbent broadcasters and wireless microphones from harmful interference from fixed operations and unlicensed devices, while enabling coordinated operations by other users;

- explained the need for a license to discipline users and promote much-needed investment in rural broadband; and

- urged adoption of its proposal for maximum 20 watts transmitter power for fixed "licensed-lite" users to better serve consumers in rural areas with affordable service, as opposed to limiting the power level to 4 watts EIRP.

When asked whether WISPA would support segmenting white spaces into licensed and unlicensed blocks, WISPA indicated that it favored an approach that would allow higher power limits in rural areas.

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WISPA also pointed out that the time has come for the Commission to take action to promote meaningful rural broadband service now by establishing a "licensed-lite" approach, even if other, more controversial questions are deferred for further comment.

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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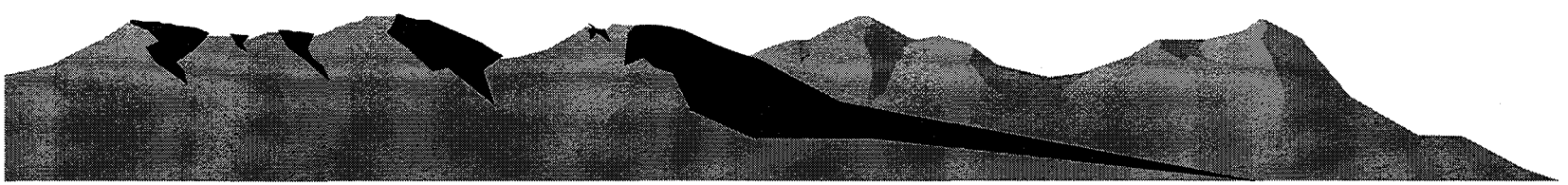
# Wireless Internet Service Providers Association (WISPA) Presentation

## The "Licensed-Lite" Approach for TV White Spaces

October 27, 2008



# About WISPA

- WISPA has 375 members and is the leading advocacy organization for Wireless Internet Service Providers (WISPs).
- WISPs provide fixed broadband wireless Internet access to approximately 2,000,000 American consumers, many in rural and underserved areas that have few, if any, alternatives.
- WISPs use "noisy," congested, interference-prone, license-free spectrum.
- Solution is shared, non-interfering access to TV White Space spectrum.

# The “Licensed-Lite” Approach

An alternative to exclusive rights licenses and unlicensed devices

- First Step: Non-exclusive, nationwide license for fixed services (similar to 3650-3700 MHz Service).

- Second Step: Registration of base stations by WISPs and other fixed networks, including network interconnection, public safety and community networks.
  - ULS-based registration system
  - Entry of technical data points determine “go” or “no go” based on interference protection rights.
  - Approved registrations build geolocation database

- Unlicensed personal/portable devices share frequencies on a non-interfering basis.

# Interference Protection

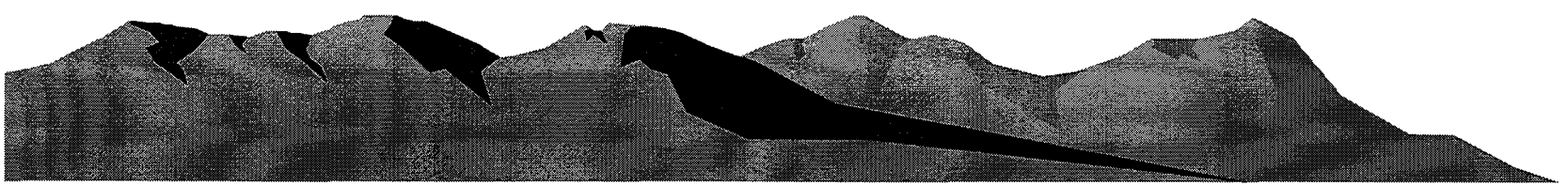
- Primary incumbents (TV stations, LPTV, etc.) enjoy interference protection from fixed services and personal/portable devices.
- No use of fixed devices on first-adjacent spectrum to protect DTV signals.
- Wireless microphone users protected.
- Registrants of fixed services required to coordinate in good faith and maintain records of discussions in case FCC requests.
- Unlicensed personal/portable devices operate on clear frequencies assigned by geolocation database when device is turned on.

# Technical Aspects

- 20 Watts transmitter power limit for “licensed-lite” fixed services.
  - Ideal for rural WISPs, public safety and community networks because it allows coverage of wider areas
  - Also permits network interconnection

- Unlicensed personal/portable devices.
  - 500 mW if geolocation database assigns clear frequencies, or
  - 10 mW without geolocation frequency assignment

- Does not rely on sensing technologies.



# Other Elements

- "Use it or Lose it" base station registrations.
  - Registrants must begin service within 180 days of registration or will lose registration and be prohibited from re-registering same location

- Expeditious remediation process to resolve interference complaints.
  - Complaints should be rare with registration via geolocation database

# Who Wins?

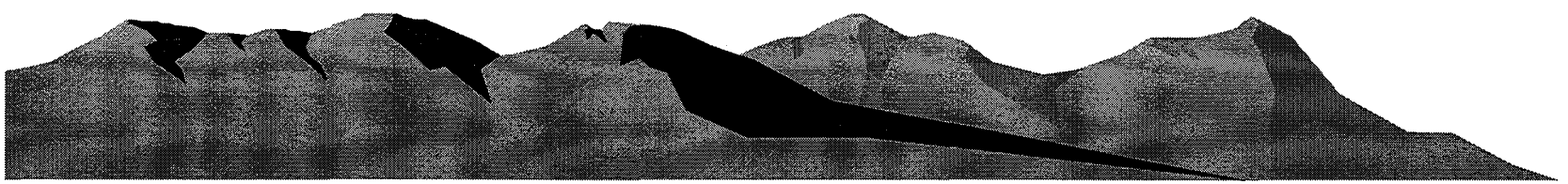
American consumers are the biggest winners

- DTV and other Broadcast Stations – can continue to operate without interference from fixed and personal/portable devices.
- WISPs – managed registration system and higher power limits promote rural broadband service and investment and eliminate "tragedy of the commons."
- Network Interconnection – power limits enable interconnection of facilities.
- Wireless Microphones – can operate without suffering interference via geolocation database and/or first-adjacent channel usage.
- Unlicensed personal/portable devices – can be used at either 500 mW (geolocation) or 10 mW (no geolocation) without causing or receiving interference from other services.

# Thank you for meeting with us!

WISPA

board@wispa.org



# ISP organization tries to inject sanity into white space debate

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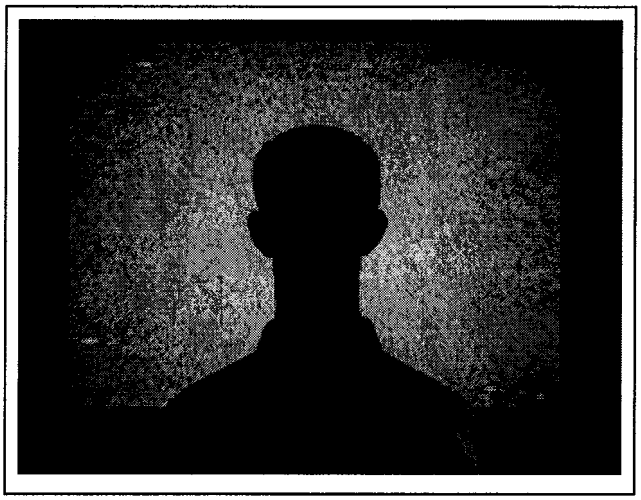

WISPA – the Wireless Internet Service Providers Association – is suggesting that a compromise it calls a "licensed-lite" solution to the television white space controversy – would open up holes for wireless internet providers without endangering free over-the-air television service. Saying their proposal is congruent with comments from broadcast advocate Association for Maximum Service Television, it says its plan "would promote broadband deployment and operations in rural and underserved communities, facilitate interference-free operations and provide interference protection to incumbents."

WISPA members are already serving broadband to some 2M rural subscribers in unlicensed portions of the spectrum. And even in this relatively small area, it is already running into interference problems from within its own membership.

"In fact, operations in the unlicensed bands have proliferated to the point where congestion and 'noise' have created a 'tragedy of the commons' that prevent WISPs from continuing to serve existing customers with reliable signals," wrote the organization. "WISPs know firsthand the means and methods for mitigating and avoiding interference, but those solutions are temporary, costly and ultimately too little, too late to avoid disrupting service to the public."

WISPA's solution involves the following for those who would enter the white space arena: Get a non-exclusive national license; register base stations for the provision of local fixed service (which would be checked and allowed only if they would not interfere with incumbent services); the provider would have a 180-day clock to commence service or lose the base; with interference safety precautions in place, a 20 watt transmission ceiling should be possible – which would be far preferable to the 4 watt ceiling in many instances under consideration under the plan stated by FCC Chairman Kevin Martin.

"WISPA believes that this "common ground" approach will allow WISPs, television broadcasters, network interconnection providers, wireless microphone devices, other incumbent licensees and users of low-power unlicensed devices to share the TV White Space spectrum on a non-interfering basis."

**RBR/TVBR observation**: Anything has to be better than the wild wild West proposal currently on the table. But if the FCC has its heart set on chaos...

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