

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

In the Matter of:)
)
Amendment of Part 90 of the Commission's) WP Docket No. 07-100
Rules)

REPLY COMMENTS OF MOTOROLA, INC.

Motorola Inc. (“Motorola”) hereby submits these reply comments in response to the Further Notice of Proposed Rule Making in the above-captioned proceeding.¹ Among other things, the Further Notice proposes to adopt a more formal licensee-to-licensee coordination requirement on primary fixed links in the 4.9 GHz band. Motorola supports this effort and, in particular, supports the recommendations submitted by the National Public Safety Telecommunications Council addressing this issue.²

The current frequency coordination requirements for permanent fixed point-to-point and point-to-multipoint stations in the public safety 4.9 GHz band are contained in Section 90.1209(b), which simply requires that “[a]ll licensees shall cooperate in the selection and use of channels in order to reduce interference and make the most effective use of the authorized facilities.”³ Concerned that this current coordination requirement may not provide applicants for primary permanent fixed stations sufficient protection relative to other primary permanent fixed stations and other co-primary users, the Commission proposed the Part 101 prior coordination

¹ See *Amendment of Part 90 of the Commission's Rules*, Further Notice of Proposed Rulemaking, WP Docket No. 07-100, 24 FCC Rcd 4298 (2009) (“Further Notice”).

² Comments of the National Telecommunications Council, WP Docket No. 07-100, submitted July 20, 2008 (“NPSTC Comments”).

³ Further Notice at ¶ 44.

requirements for primary fixed 4.9 GHz stations regulated under Part 90 of the rules.⁴ More specifically, the Commission proposed to modify the existing coordination requirements of Section 90.1209(b) to require applicants for primary fixed stations providing point-to-point and point-to-multipoint communications to successfully complete the prior coordination procedures of Section 101.103(d).⁵

NPSTC filed comments to the Commission’s proposals that support the need for coordination of fixed links but noted that the technical parameters of 4.9 GHz links will vary dramatically from those typically authorized under Part 101 that are subject to the notice and response provisions of Section 101.103(d).⁶ In particular, NPSTC noted that 4.9 GHz links are far less directional than Part 101 links and, therefore, a licensee-licensee coordination process may impose significant burdens on licensed users.

NPSTC therefore proposes to rely on existing public safety resources to better protect fixed links. Specifically, NPSTC proposes a registration process administered by the National Regional Planning Committee (“NRPC”) in conjunction with individual public safety 700 MHz regional planning committees (“RPCs”).⁷

Motorola agrees with NPSTC and urges the Commission to implement a registration process consistent with NPSTC’s proposed framework. As NPSTC pointed out, the provisions of Section 101.103 are not directly applicable to 4.9 GHz operations as there is no defined interference criteria to guide licensee-licensee coordination discussions.⁸ Requiring public safety

⁴ *Id.* at ¶¶ 44, 45.

⁵ *Id.* at ¶ 45.

⁶ NPSTC Comments at 5, 6.

⁷ *Id.* at 1, 8.

⁸ *Id.* at 8.

agencies to coordinate and reply without standards to guide the engagement will lead to protracted and burdensome negotiations. And NPSTC is correct that it would be difficult, if not impossible, to establish technical criteria for this band given the diversity of networks and devices that can be deployed in the 4.9 GHz band.

Motorola believes that public safety will be better served by the registration process maintained by NRPC and actively assisted by the RPCs. The RPCs provide a useful forum for affected agencies to air design plans and to negotiate frequency usage. Motorola urges the Commission to forego Part 101 coordination processes and instead rely on the well established public safety coordination framework to better protect 4.9 GHz fixed link deployment.

Respectfully Submitted,

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