

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054**

In the Matter of)	
)	
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-47
)	GN Docket No. 09-51
)	GN Docket No. 09-137
)	
To: The Commission)	

**COMMENTS OF THE
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA” or the “Alliance”) submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Public Notice¹ seeking information on the sufficiency of current spectrum allocations for purposes of development of a National Broadband Plan pursuant to the American Recovery and Reinvestment Act of 2009,² and for related purposes. The Commission has requested input on this subject in response to comments filed recently in these and other wireless proceedings suggesting that the United States has not already made available or earmarked for allocation sufficient spectrum to meet anticipated broadband requirements. In light of the primary role that broadband, including wireless broadband, is expected to play in meeting critical societal needs in the 21st Century, having spectrum supplies that are adequate to meet that challenge will be essential.

EWA is a national trade association representing many business enterprises, wireless sales and service providers, hardware and software system vendors and technology

¹ *Comment Sought on Spectrum for Broadband*, GN Docket Nos. 09-47, 09-51, 09-137, Public Notice, DA 09-2100 (rel. Sept. 23, 2009) (“Public Notice”).

² American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009).

manufacturers. The firms represented by the Alliance range from small businesses to leading national Fortune 500 organizations, including those that are engaged in transportation, petrochemical, manufacturing, retail, utility, construction and other critical national industries. Each of these entities is a member of the Alliance, because it has identified a need for innovative wireless capabilities to help promote business productivity, employee safety, profitability and competitiveness.

EWA fully supports the FCC's efforts to quantify broadband spectrum requirements and encourages it to act promptly to ensure that a plan is in place for meeting them. The Alliance also is pleased that the Commission had noted that broadband applications are not the exclusive province of commercial wireless service providers. As explained in earlier stages of this proceeding, as well as in related broadband proceedings, enterprise businesses, whether engaged in utility operations, transportation, construction, service industries or the many other activities that comprise the American business community, increasingly have identified broadband applications as essential elements in plans to enhance their productivity and increase their efficiency.

Certain of these broadband needs can be satisfied on commercial systems or on unlicensed spectrum, and enterprise users have not hesitated to use both in appropriate circumstances. Nonetheless, other communications requirements for these companies have coverage, security, operational or other elements that dictate the need for a licensed broadband system designed specifically to address particular internal parameters. As explained by Motorola:

In addition to licensed spectrum for commercial mobile services, there is also a need to consider the needs of other users. One example is the licensed spectrum available for internal use by enterprise businesses and critical infrastructure entities....It is these operations on which Americans rely for the availability of

electric power, natural gas to heat their homes, potable water to sustain life, transportations systems, the manufacture of all the consumer goods, and the provision of many other services in the market. Further, it is these enterprise and critical infrastructure organizations that have a significant effect on the availability of jobs and the state of the economy....It is incorrect to assume that the broadband needs of these users will be adequately met by commercial mobile service providers, which cannot readily satisfy the unique coverage, service, or application requirements of enterprise business and critical infrastructure entities.³

Business enterprise users consider a complex equation that balances requirements and cost in determining how to meet their spectrum needs. In these days of the need for financial investment prudence and uncertainty about the timing of the nation's economic recovery, they do not commit scarce dollars to the deployment of a licensed, internal network without having concluded that no less costly alternative will do. However, as with commercial operators, even when that conclusion is reached, it is not always the case that the necessary spectrum resources will be available.

Motorola noted that the FCC has made only some 30 MHz of spectrum across multiple, non-contiguous spectrum bands available for non-public safety, private internal systems.⁴ For the most part, this spectrum has been allocated for decades and is heavily encumbered with a broad variety of users and system types. This 30 MHz includes no broadband allocation for private enterprise users. Moreover, to the extent that the FCC is contemplating clearing certain band segments for mobile wireless broadband use as suggested in the Public Notice,⁵ the Alliance believe that this spectrum, populated by tens of thousands of individual systems, would prove a particularly difficult and inappropriate option. Indeed, within each band segment, the allocations often are not fully contiguous, but are interrupted by sub-segments assigned for other communications purposes, even for Federal Government use in some instances. Thus, the

³ Motorola Comments, Jun. 8, 2009, GN Docket No. 09-51, at 8-9.

⁴ *Id.*

⁵ Public Notice at 5.

spectrum available for private enterprise use neither includes a broadband allocation nor contains a viable candidate for broadband band-clearing purposes.

This nation cannot return to robust economic health until the businesses that provide jobs for its citizens and that ensure the delivery of essential goods and services have the tools needed to compete successfully in a global economy. One of those tools increasingly will be secure, reliable, cost-effective broadband communications. As the Commission develops its National Broadband Plan, it must ensure that the Plan addresses not only the requirements of commercial wireless service providers for whom the FCC already has allocated over 430 MHz of spectrum, most of which is capable of supporting broadband applications, but also the more particularized needs of business enterprise users, needs that cannot in all cases be accommodated on either commercial or unlicensed broadband spectrum.

Respectfully submitted,

ENTERPRISE WIRELESS ALLIANCE

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