

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

In the Matter of	)	
	)	
Improving Spectrum Utilization	)	RM-11572
in the 800 MHz Band Between	)	
854-861/809-816 MHz	)	

**STATEMENT IN SUPPORT OF PETITION FOR RULEMAKING  
MOTOROLA, INC.**

Motorola, Inc. (“Motorola”) supports the above-captioned petition for rulemaking submitted by the Enterprise Wireless Alliance (“EWA”) and urges the Federal Communications Commission (“Commission” or “FCC”) to issue a notice of proposed rulemaking that seeks comment on the proposals contained therein.<sup>1</sup> The adoption of policies and rules that are consistent with the goals of the EWA Petition will improve the efficient use of the spectrum and provide enterprise business and industrial users and public safety organizations with needed additional capacity to deploy communications networks that are critical to American industrial productivity and homeland security.

The EWA Petition has a worthwhile purpose – to provide for the assignment of new, full-power interstitial 12.5 kHz bandwidth frequencies while protecting currently authorized 25 kHz bandwidth systems in the 854-861/809-816 MHz.<sup>2</sup> Since its inception, this portion of the 800 MHz band has been organized into 25 kHz-wide channels with

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<sup>1</sup> *Public Safety And Homeland Security Bureau And Wireless Telecommunications Bureau Seek Comment On The Petition By Enterprise Wireless Alliance Requesting The Creation Of New, Full Power, Interstitial 12.5 kHz Channels In The 800 MHz Band*, Public Notice, DA No. 09-2183, rel. Oct. 8, 2009. *See also*, Petition for Rulemaking of the Enterprise Wireless Alliance, RM-11572, submitted April 29, 2009 (“EWA Petition”).

<sup>2</sup> EWA Petition at 1.

center frequencies spaced 25 kHz apart.<sup>3</sup> Channels placed between these 25 kHz regularly assignable channels can provide additional opportunities to meet some of the demand for communications capacity that is needed by Part 90 eligible users throughout the country. While the opportunity for new system deployment likely will be limited in existing congested markets, improving the overall efficient use of the band serves the public interest and should be further considered in a rulemaking proceeding.

Use of the interstitial channels must be accomplished in a manner that does not interfere with existing systems operating on the regularly assignable channels. In this regard, the EWA Petition proposes to protect adjacent channel operations through a combination of bandwidth restrictions (*e.g.*, interstitial operations would be restricted to 11 kHz authorized bandwidth)<sup>4</sup> and separation criteria based on prohibited contour overlap.<sup>5</sup> The EWA Petition proposes to base interference protection through application of the Commission's R-6602 propagation curves but states that it is not opposed to different criteria based on other contour analyses that may more accurately reflect real world conditions.<sup>6</sup> Determining the appropriate assignment standards that properly balance the need to protect adjacent channel incumbent facilities with administrative convenience should be the focus of the forthcoming rulemaking process.

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<sup>3</sup> See *e.g.*, 47 C.F.R. § 90.613 of the FCC's Rules. Due to treaty obligations, a different channeling plan is provided for locations along the U.S. – Mexican border. See 47 C.F.R. § 90.619 of the FCC's Rules.

<sup>4</sup> EWA Petition at n. 9.

<sup>5</sup> *Id.* at 6-7. EWA proposes to prohibit overlap of the 34 dB $\mu$  interference contour of the station proposing to operate on the interstitial channel with the 40 dB $\mu$  service contour of analog incumbent stations operating on adjacent 25 kHz channels. Digital facilities operating on the 25 kHz regularly assignable channels would be protected by prohibiting overlap of the 26 dB $\mu$  interference contour with the 40 dB $\mu$  service contour.

<sup>6</sup> *Id.* at n. 11.

Facilitating more intensive use of existing allocations does not alleviate the need to allocate new spectrum specifically for systems that are designed to meet the specialized needs of industrial, business, land transportation and critical infrastructure industries. However, extracting more capacity out of the heavily used 800 MHz band will provide a more cost-effective means of expanding existing networks and provide some opportunities for new system deployment. The Commission should move expeditiously to issue a notice of proposed rulemaking so that the standards for assignment can be developed and finalized as soon as possible.

Respectfully submitted,

By: */S/ Steve B. Sharkey*

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