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VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554

April 27, 2010

Re: *Ex Parte* Notice

GN 09-51, WT Docket No. 06-150, PS Docket No. 06-229, DA-10-592, WT Docket No. 07-293, IB Docket No. 95-91, RM No. 11592, WT Docket No. 07-195, WT Docket No. 04-356

Dear Ms. Dortch:

On Monday April 26, 2010, representatives of the Telecommunications Industry Association (TIA), Patrick Sullivan of TIA, Mark Racek of Ericsson, Evan Morris of Harris Corporation, Paul Schomburg of Panasonic, and John Kuzin of Qualcomm, met with Mr. Louis Peraertz, Acting Legal Advisor, Wireless, International, and Public Safety for Commissioner Mignon Clyburn.

In this meeting, TIA stated that the National Broadband Plan's recommendation to make 500 MHz of spectrum available for wireless broadband over the next 10 years is an excellent start to meeting the needs for wireless broadband. Further, TIA noted that, while over-the-air television broadcasting is of benefit to many, including public safety, there are skyrocketing demands for and public benefits to increasing spectrum for wireless broadband. TIA iterated its support for voluntary, incentive-based auctions and channel sharing that will provide broadcasters motivation to free up spectrum.

TIA also raised the issue of finalizing Wireless Communications Services (WCS) interference rules, noting that, to allow deployment of WCS services, it is vital that effective interference rules are promulgated in a way that protects Satellite Digital Audio Radio Service and federal and non-federal Aeronautical Mobile Telemetry operations. TIA urged the Commission to ensure that WCS services and devices can operate in a practical and technically useful manner with the proposed duty cycle limits and clarify the differences between proposed time division duplex (TDD) and frequency division duplex (FDD) duty cycles.

TIA agreed with the Commission that NTIA can have a significant role in making spectrum available for wireless broadband use. TIA also stated its strong opinion that the AWS-3 spectrum should be paired with the 1755-1780 MHz band as a contiguous block that is available nationwide. TIA added that the pairing of these bands holds promise to yield approximately 20 MHz of scarce spectrum ideal for wireless broadband that is regionally harmonized. TIA argued that a piecemeal approach to the availability of the 1755-1780 MHz band would complicate the development of equipment for this market. However, TIA stated, should the NTIA determine that the 1755-1780 MHz band can only be allocated to commercial use on a regional basis based upon technical analysis and taking into account the national security or other priority uses of the band, wireless broadband service providers may still be able to use this spectrum.

TIA noted that it is working with FCC staff to provide them a view of current and future roaming and priority access technologies available for public safety. Further, TIA urged the Commission to develop policies that will ensure that regional networks seamlessly interoperate with a nationwide interoperable public safety wireless broadband communications network that delivers core requirements to first responders. With respect to the Public Safety Spectrum Trust's and National Public Safety Telecommunications Council Broadband Task Force's (BBTF) recommendations on requirements for any local entity seeking to build out an interoperable broadband public safety network, TIA urged the Commission to endorse technology-neutral interoperability requirements, for example based on the BBTF Report, as a set of voluntary best practices to guide early adopters' deployment of 700 MHz public safety broadband networks. However, TIA cautioned, these interoperability requirements must be augmented or altered by any waiver grantee to comply with the technology-neutral interoperability requirements the Emergency Response Interoperability Center determines necessary for the deployment of a nationwide public safety broadband network.

TIA expressed its opposition to requiring that every 700 MHz device operates on all paired commercial 700 MHz frequency blocks. TIA stated that such a policy ignores technological and marketplace realities that will stall progress to make 700 MHz devices rapidly available at reasonable cost. Further, TIA added, forcing carriers to develop devices capable of operating on each band in the 700 MHz band severely discourages a licensee's prerogative to change air interfaces; thus, the technology-neutral policy of allowing carriers to change air interfaces would be thwarted.

With regard to the National Broadband Plan's recommendation to accelerate terrestrial deployment in 90 megahertz of Mobile Satellite Spectrum (MSS), TIA members discussed gating criteria provisions that the FCC may consider relaxing.

Finally, TIA expressed its support for the DECT Forum Petition to eliminate the threshold requirement associated with the "least interfered-channel rule" in Part 15 and reduce the minimum number of channels to be monitored under the least interfered-channel rules from 40 to 20.

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206, a copy of this letter is being filed electronically today. If you have any questions, do not hesitate to contact me at (202) 346-3244.

Sincerely,

_____/S/_____

Patrick Sullivan
Director, Technical and Government Affairs

Cc:
Louis Peraertz