

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

In the Matter of )

)  
OFFICE OF ENGINEERING AND )  
TECHNOLOGY )  
REQUEST FOR INFORMATION ON )  
USE OF 1675 – 1710 MHz BAND )

ET Docket No. 10-123

**Comments of United States Cellular Corporation**

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June 28, 2010

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United States Cellular Corporation ("USCC") hereby files in response to the Public Notice (DA 10-1035) of the Office of Engineering and Technology requesting information on "the utility of the 1675-1710 MHz band for wireless broadband services, including any pairing, band plan, or other licensing approaches that would maximize this utility."<sup>1</sup> We also discuss the need for continued consideration of the proposed pairing of the AWS-3 band with the 1755-1780 MHz band.

**Introduction**

We strongly support the Commission's initiatives in its NBP<sup>2</sup> recommending that the FCC make 500 megahertz of spectrum newly available for commercial broadband use within the next ten years, 300 megahertz of which should be made available between 225 MHz and 3.7 GHz for mobile use within the next five years. We also applaud and

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<sup>1</sup> See FCC Public Notice "Office of Engineering and Technology Requests Information on Use of 1675-1710 MHz Band" released June 4, 2010 (DA 10-123) in ET Docket No. 10-123, p. 2.

<sup>2</sup> Federal Communications Commission, National Broadband Plan, Titled "Connecting America: The National Broadband Plan (2010) ("NBP"), pp. 84-92.

support the recent White House Executive Memorandum validating the need for 500 MHz of expanded spectrum including spectrum for exclusive licensed mobile wireless broadband services and confirming the significant role which NTIA must now assume in collaboration with the FCC to achieve this goal.<sup>3</sup>

The Commission is facing a daunting challenge with relatively little spectrum in the pipeline in the near term, and a pressing need to develop fair and equitable ways to expand access to competitive mobile broadband services. As the NBP acknowledges, spectrum is the fundamental input of our industry and USCC firmly believes that spectrum concentration leads to undesirable market share concentration, as well as to an absence of diversity, capacity and price competition among the mobile broadband providers. The combination of increasing demand for data services and unequal distribution of spectrum resources works against the goal of a competitive market where customers freely choose providers and market shares are an outcome of customer preferences. Unless the issue of spectrum disparity among mobile broadband providers is addressed in some way, all other measures to protect the benefits of competitive diversity in the marketplace are likely to be ineffective.

Commercial mobile providers, with two notable exceptions, have limited spectrum reserves to implement their business plans during the critical next few years as the wireless industry transitions to broadband. It is essential that the 700 MHz D Block, expanded AWS spectrum, and other spectrum be available for auction in the 2011-2012 timeframe as recommended in NBP Recommendations 5.8.2, 5.8.3 and 5.8.5.<sup>4</sup>

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<sup>3</sup> See The White House, Presidential Memorandum: "Unleashing the Wireless Broadband Revolution" released June 28, 2010, Section 1.

<sup>4</sup> Id. at p. 86 and 88.

The Commission's goal to promote diversity and competition can only be met if the FCC can provide adequate spectrum resources so that existing providers and new entrants will have options to acquire spectrum "head room" with which to compete for market share on an equitable basis. Completing the Commission's D Block rulemaking proceedings so that this "beachfront" 700 MHz spectrum can be auctioned in 2011 is an essential first step and should be the Commission's number one spectrum priority. Prompt and thorough review of possible pairings of 1675-1710 MHz spectrum with suitable bands to create additional bandwidth which can be used for wireless broadband services is also important and should be expedited . Finally we support the continuation of consultations between the FCC and NTIA to explore ways that reallocation of government spectrum in a portion of the 1755-1850 MHz band might be feasible.

### **Discussion**

#### **1. The FCC Should Conduct a Prompt and Thorough Review of Possible Pairings of 1675-1710 MHz Spectrum with Suitable Bands to Create Additional Bandwidth for Mobile Broadband.**

We support the FCC's recent efforts to identify additional paired spectrum which could be deployed for mobile broadband uses. The fact that 1675-1710 MHz band is already allocated on a co-primary basis for federal and non-federal use and is in a spectrum range which is suitable for mobile broadband uses is promising.

There are significant unknowns including the question raised in the FCC's Public Notice about the scope of non-federal use of the 1675-1710 MHz band and the related question being addressed by NTIA about incumbent federal uses. If preliminary indications confirm that this spectrum could be auctioned and commercially deployed in

a relatively short timeframe, we would support the immediate commencement of related proceedings to identify compatible unencumbered spectrum bands suitable for pairing with spectrum from the 1675-1710 MHz band, to consider licensing and service rules for this spectrum and to establish procedures for relocation of incumbent federal and non-federal uses.

While we support the FCC in commencing these proceedings, we do have reservations because this spectrum is not in a globally harmonized band or adjacent to such a harmonized band. As a non-harmonized pairing, it does potentially raise questions about time to market availability of infrastructure and devices, the breadth of vendor support, the pace of device development, and increased cost of equipment reflecting the diminished market size for devices in non-harmonized bands.

**2. The FCC Should Continue its Consultations With NTIA to Examine Ways That Reallocation of Government Spectrum in a Portion of the 1755-1850 MHz Band Might be Feasible.**

We have long supported the FCC's initiatives to put the AWS-2 H and J Blocks, the Upper 700 MHz D Block, and AWS-3 Block into productive use, provided this could be accomplished without creating unmanageable interference issues for nearby incumbent. Specifically we supported the T-Mobile proposal<sup>5</sup> in GN Docket Nos. 09-157, and 09-51, and WT Docket No. 09-66 to allocate government spectrum in the 1755-1780 MHz band, which might be paired with the 2155-2180 MHz band. We recognized that this would require the reconfiguration of the AWS-3 and AWS-2 spectrum which is already the subject of contested rulemaking proceedings and NTIA approval to permit

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<sup>5</sup> Comments of T-Mobile USA, Inc., in GN Docket Nos. 09-157, and 09-51, and WT Docket No. 09-66, filed September 30, 2009, p. 4.

non-government uses of this spectrum on which DoD and non-DoD governmental systems are currently deployed.

We still believe that T-Mobile's proposal has merit and deserves additional scrutiny to determine under what circumstances this proposal might be feasible. For example, the pairing of 1755-1780 MHz with 2155-2180 MHz is intended to implement an expansion of 3GPP Band 10 specifications (i.e. through the expansion of Band 10 by adding 10 MHz to each of its uplink and downlink blocks). This pairing permits infrastructure and device developers to leverage the extensive Band 10 work already completed by the wireless industry thereby diminishing time to market and development costs for their infrastructure and devices. It also builds on the extensive experience and best practices developed in the prior relocation of federal uses in the 1710-1755 MHz band to facilitate relocation of similar uses in the 1755-1780 MHz band. Adoption of this proposal would also harmonize spectrum uses across multiple jurisdictions enabling equipment vendors to achieve economies of scale resulting in reduced infrastructure and device costs for providers and end users.

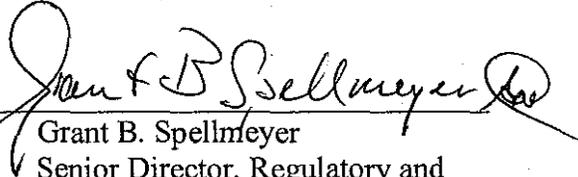
### **Conclusion**

During the critical next few years as the wireless industry transitions to broadband, it is essential that the 700 MHz D Block and other spectrum be available for auction in the 2011-2012 timeframe as recommended in the FCC's NBP. We support expedited review of possible pairings of 1675-1710 MHz spectrum with suitable bands to create additional bandwidth for wireless broadband services to be licensed by auction selection in this timeframe. We also support continued FCC-NTIA consultation and

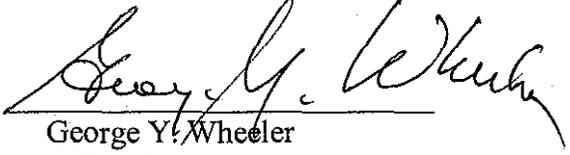
analysis of the possible reallocation of the 1755-1780 MHz band for pairing with the  
2155-2180 MHz band.

Respectfully submitted,

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