

Sept, 15,2010

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: TV White Spaces
ET Docket Nos. 04-186 and 02-380

Dear Ms. Dortch:

My company, New Wave Net Corporation, provides fixed wireless broadband service in Central Illinois. We rely primarily on unlicensed spectrum to deliver broadband services to consumers that have no or few affordable broadband choices. We built our network from scratch using devices authorized under Part 15 rules the FCC adopted to open up 900 MHz, 2.4 GHz and 5 GHz spectrum for unlicensed broadband devices. Thanks to the Commission's initiatives, consumers in McLean and surrounding counties can now get broadband service. We have also recently added 3.65Ghz licensed WiMax equipment as well. Although being limited to the lower 25 Mhz limits our capacity in that band.

New Wave Net Corp is very interested in utilizing television white spaces so that we can expand service. In our area there are many areas with trees/hills that can only be reached with 900 Mhz today, and we have found that many utilities are adding remote meter readers in that band. With the limited spectrum in the 900 Mhz ISM band it is impossible to provide 4M/1M Internet service, which meets the FCC's new definition of broadband. We are committed to deploying as soon as equipment for point-to-multipoint service is commercially available.

I am pleased that the FCC will be acting on TV white space petitions for reconsideration in the near future. There are several proposals that would help us to deploy service:

First, the FCC should allow WISPs to operate using base station antennas mounted higher than 30 meters, and we should be allowed to install customer antennas (CPE) at heights below 10 meters. If we could increase our base station antenna height to 100 meters, we could cover three times more area with a base station and reduce our equipment, tower acquisition and tower lease fees by a large amount – an amount that could be the difference between deploying and not deploying in an area. We support the WISPA and Motorola proposals to increase base station height. By removing any minimum CPE height restrictions, we would not have to put tall masts on residences and we would be able to provide service at a lower cost. Many single story homeowners, object to a 25ft mast on their roof, especially in rural areas prone to high winds.

Second, we believe we should be allowed to operate with power in excess of 4 Watts EIRP in rural areas. As is the case with tower height, operating with higher power will give us a greater coverage area and we will not need to spend as much money on infrastructure.

Third, we are very concerned about a proposal made by FiberTower and others to license white space spectrum for point-to-point wireless backhaul. Not only would adopting this proposal take six channels (36 MHz) and perhaps more channels away from us, but WISPs also would have to protect these licensed links. Moreover, channels and areas far beyond the links

would be blocked because the signals from the licensed links would overshoot the path and the endpoints. This is due to the low-cost, low-gain antennas FiberTower wants to use. We also would not deploy if a licensed point-to-point user could come along later and put us out of business with a licensed link. We support the views expressed by WISPA in their September 8 letter and ask the FCC to reject the FiberTower proposal.

Sincerely,

Garth Nicholas
CFO
New Wave Net Corp.