

September 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,

As the Executive Director of WISPA, I am honored to represent such a fine group of hard working American entrepreneurs who strive to provide broadband services to their previously unserved communities using primarily unlicensed spectrum under the Part 15 rules. I personally built my first unlicensed network in rural Indiana in 1997 with the goal of providing broadband to my farming operation. I give credit to the previous FCC commissioners who allocated certain bands of spectrum for unlicensed use. Because of this decision the FCC gave birth to a new age of innovation in wireless technologies and a method to provide broadband to millions of Americans who may still be unserved by legacy broadband providers and methods.

As the innovation of new unlicensed products increased, the density of interference in these bands has also increased. Although this has created challenges at times, it must be noted that the increased interference has also improved efficient spectrum sharing technologies. It would be my estimation that the unlicensed spectrum is the most used spectrum in our nation's finite spectrum resources. I know of no other bands that are so efficiently used for so many different products and services. Since spectrum is limited, it is obvious that the FCC should dedicate the spectrum resources it has to allocate to more efficient uses. We can no longer allow spectrum resources to lay fallow unnecessarily.

As a group, WISPA members are the epitome of hard working Americans who recognize and value the economic benefit that broadband service has for their local communities. These members invest private capital so that their communities and neighbors can participate in the benefits that broadband service offers. These members are also often unable to compete in licensed spectrum auctions but have used their financial resources efficiently by investing in software, hardware and other resources necessary to provide broadband services. I have often felt it would be interesting to study the economic benefits and tax revenue generated through unlicensed spectrum allocations compared to auctioned spectrum revenue. I challenge the GAO to conduct these studies for future spectrum decisions.

WISPA has developed a proposal for unlicensed operation of the TV Whitespaces using common sense, collaboration and cohabitation with legacy TV Broadcasters and Wireless Microphone industries. We recognize the value of the services these industries also provide to our American standard of living and we have strived to mold our filing to respect the rights of these industries to continue to use this valuable spectrum as well.

I therefore support the hard work, research and legacy operation recognition, the WISPA FCC committee included in the development of its filing. WISPA supports the efforts to stimulate small business in America as most of our members are small businesses themselves. The allocation of unlicensed operation in the TV Whitespaces will not only support small business but also create a more competitive environment in our nation's telecommunications services.

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.

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.

In conclusion, I impress the importance of this decision presently being made by the FCC Commissioners. As Chairman Genachowski stated recently,

*"This is going to be the first release of unlicensed spectrum in over 25 years. The last time we did this it led to Wi-Fi. It led to a multibillion-dollar industry and extraordinary benefits that we experience every day. We believe that history can repeat itself, and unlicensed spectrum will catalyze private investment -- it will create a new platform for innovators and entrepreneurs to develop new and exciting products for the public.*

I am thrilled that a conversation I had with Chairman Genachowski in late June in rural Missouri was taken to heart. I encourage the commission to recognize the potential this decision has and I am anxious to hear your final decision.

Respectively,

Rick Harnish  
Executive Director  
Wireless Internet Service Provider's Association