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September 16, 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:

Our company, Brightlan LLC, provides fixed wireless broadband service in North Georgia between Atlanta and the Tennessee and North Carolina state lines. Additionally we work in partnership with City and County agencies to provide low cost/no cost broadband to certain sectors of their population.

We rely heavily on unlicensed spectrum to deliver broadband services to consumers who have few (or no) 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. We have borrowed no money nor have we received any Government funding for this! Thanks to the Commission's initiatives, consumers in rural North Georgia can now get broadband service.

Brightlan is very interested in utilizing television white spaces so that we can expand and improve our service. Georgia's hills and tree cover make it extremely difficult to operate in the microwave spectrum of 2.4 and 5 GHz. The lower frequencies perform far better in this environment. Unfortunately 900 MHz is completely unusable due to cordless phones, utility company meter reading devices and other consumer devices. We are committed to deploying as soon as equipment for point-to-multipoint service is commercially available.

We are 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 and towers at residences and we would be able to continue to provide service at a low cost.

Second, we believe we should be allowed to operate with power in excess of 4 Watts EIRP in rural areas (our primary territory). 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,

Ralph Fowler, Member
Frank Watts, Member
Brightlan LLC