



200 Pleasant Grove Road  
Ithaca, NY 14850  
607-257-8268

September 16, 2010

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

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

Dear Ms. Dortch:

Our company, Clarity Connect, Inc. provides fixed wireless broadband service in Central upstate New York and Northern Pennsylvania. We rely primarily on unlicensed spectrum to deliver broadband services to consumers that have no other 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 part of our area can now get broadband service for the first time. We are expanding rapidly, but spectrum that can propagate through our heavy foliage is tight and limits how many customers we can serve and how much bandwidth we can afford to allow them.

Clarity is very interested in utilizing television white spaces so that we can expand and improve service. Without spectrum that can penetrate through trees, we are limited as to who we can serve, and those we serve have to be constrained because the available spectrum isn't enough to meet our customer's demands. 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.

Second, 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,

Chuck Bartosch, President and CEO  
Clarity Connect, Inc.