

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

In the Matter of

Inquiry Concerning the Deployment of Advanced
Telecommunications Capability to All Americans
in a Reasonable and Timely Fashion, and Possible
Steps to Accelerate Such Deployment Pursuant to
Section 706 of the Telecommunications Act of
1996, as Amended by the Broadband Data
Improvement Act

GN Docket No. 10-159

Via the ECFS

REPLY COMMENTS OF IEEE 802

IEEE 802¹ respectfully submits its Reply Comments in the above-captioned Proceeding².

IEEE 802, as a leading consensus-based industry standards body, produces standards for wireless networking devices, including wireless local area networks (“Wireless LANs”), wireless personal area networks (“Wireless PANs”), wireless metropolitan area networks (“Wireless MANs”), and wireless regional area networks (“Wireless RANs”). We appreciate the opportunity to provide these comments to the Commission.

INTRODUCTION

1. On August 6, 2010, the Commission issued a Notice of Inquiry, under GN Docket No. 10-159, in which the Commission solicits data and information related to broadband deployment to all Americans.

2. The Commission’s NOI requests comment and information related to a broad range of

¹ The IEEE Local and Metropolitan Area Networks Standards Committee (“IEEE 802” or the “LMSC”).

issues. In this response, IEEE 802 has chosen to focus on a few specific issues.

DEFINING BROADBAND

3. With respect to the Commission's request for comment on the definition of "Broadband", the definition of "Advanced Telecommunications Capability", and the relationship between the two descriptions, IEEE 802 proposes that the Commission define these terms in a way that maintains a distinction with regard to the level of service encompassed by each term.
4. IEEE 802 believes that the definition for "Broadband" should be consistent with the ITU-R definition, i.e., meaning data speeds at the primary rate.
5. "Advanced Telecommunications Capability", in our view, should be used to refer to higher performance levels reflecting additional services, above basic Internet access, for instance, video streaming.
6. The ITU-R definition for "Broadband" is found in ITU-R Recommendation F.1399. This definition is used as the basis for technologies recommended for Broadband Wireless Access in ITU-R Recommendation M.1801. IEEE 802 sees no reason to change this definition.

THE UPDATED BROADBAND BENCHMARK

7. IEEE 802 believes the updated broadband benchmark should be applied to "Advanced Telecommunications Capability" as distinguished from the "Broadband" capability. A benchmark based on supporting video services seems to us a reasonable approach to evaluating the state of "Advanced Telecommunications Capability".

BROADBAND BENCHMARK FLEXIBILITY

8. IEEE 802 recommends that the Commission maintain a basic definition of "Broadband" per the ITU-R Recommendation F.1399 definition, while providing the flexibility in the definition or benchmark for what is considered "Advanced Telecommunications Capability".
9. In our view, revisiting the benchmark every four years is sufficient.

BROADBAND AVAILABILITY

² This document represents the views of IEEE 802. It does not necessarily represent the views of the IEEE as a whole or the IEEE Standards Association as a whole.

10. IEEE 802 considers the 1% threshold to be too low to consider broadband to be available anywhere in a county.
11. IEEE 802 recommends that the Commission affirm its interpretation of “all Americans” in the next broadband deployment report. IEEE 802 recommends that section 706 continue to be interpreted in a manner that keeps the goal of broadband availability for every American firmly in place. Our view is that the Commission’s estimate that 14 to 24 million Americans are without broadband is likely true, and we value the Commission’s efforts to close this gap in availability.

CONCLUSION

5. IEEE 802 thanks the Commission for the opportunity to respond to the subject NOI, and values the Commission’s work in promoting the availability of advanced telecommunications services for all Americans.

Respectfully submitted,

/s/

Michael Lynch
Chair, IEEE 802.18 Radio Regulatory Technical Advisory Group
108 Brentwood Court
Allen, TX 75013
972.814.4901
freqmgr@ieee.org