

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)	
)	
Amendment of Part 101 of the Commission's)	
Rules to Accommodate 30 Megahertz)	
Channels in the 6525-6875 MHz Band)	WT Docket No. 09-114
)	RM-11417
Amendment of Part 101 of the Commission's)	
Rules to Provide for Conditional Authorization)	
on Additional Channels in the 21.8-22.0 GHz)	
and 23.0-23.2 GHz Band)	

**REPLY COMMENTS OF THE
FIXED WIRELESS COMMUNICATIONS COALITION**

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January 10, 2011

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Pursuant to Section 1.429(g) of the Commission's Rules, the Fixed Wireless Communications Coalition ("FWCC")¹ files these Reply Comments in the above-captioned proceeding.

On August 18, 2020, the FWCC filed a Petition for Reconsideration,² not to the *Report and Order* in this proceeding,³ but to a subsequent *Erratum*.⁴ The *Report and Order*, among

¹ The FWCC is a coalition of companies, associations, and individuals interested in the fixed service -- *i.e.*, in terrestrial fixed microwave communications. Our membership includes manufacturers of microwave equipment, fixed microwave engineering firms, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. The membership also includes railroads, public utilities, petroleum and pipeline entities, public safety agencies, cable TV and private cable providers, backhaul providers, and/or their respective associations, communications carriers, and telecommunications attorneys and engineers. Our members build, install, and use both licensed and unlicensed point-to-point, point-to-multipoint, and other fixed wireless systems, in frequency bands from 900 MHz to 95 GHz. For more information, see www.fwcc.us.

² Petition for Limited Reconsideration of the Fixed Wireless Communications Coalition (filed Aug, 18, 2010) ("FWCC Petition").

³ *Amendment of Part 101 of the Commission's Rules*, 25 FCC Rcd 7760 (2010) ("*Report and Order*").

other provisions, made certain 23 GHz channels newly eligible for conditional authorization.⁵

The *Erratum* added a footnote call that allows assignment of these frequencies, for bandwidths of 10 and 50 MHz, to low power systems.⁶ This in turn permits the use of antennas whose beams are wider, more diffuse, and less focused than the rules otherwise require.⁷

The FWCC asked that the *Erratum* be rescinded, so the newly-listed 23 GHz conditional channels are not available for use by low power systems. The FWCC also noted that the substance of the *Erratum* was never the subject of a Notice of Proposed Rulemaking, as the Administrative Procedure Act (APA) requires, and has no support in the record.⁸

No one opposes this request.

Comsearch, a widely respected Fixed Service frequency coordinator and spectrum consultant, filed a comment in support of the FWCC position. According to Comsearch, adding these channels for low-power, limited-coverage systems “would harm spectral efficiency by allowing use of sub-standard antennas whereas compliant antennas of one-foot diameter are commonly available.”⁹ Comsearch adds:

The low-power limited-coverage rules were created many years ago when usage of the 23 GHz band was light in order to accommodate low-cost systems for purposes such as video surveillance and security. These low power uses have become obsolete while the conditional authorization

⁴ *Amendment of Part 101 of the Commission’s Rules*, Erratum WT Docket No. 09-114, (no release number) (released July 7, 2010) (“*Erratum*”).

⁵ *Report and Order* at ¶ 25.

⁶ See 47 C.F.R. § 101.147(s)(1)-(6) n.2.

⁷ See 47 C.F.R. § 101.147(s)(8)(iii), (iv).

⁸ See FWCC Petition at 5-7.

⁹ Comments of Comsearch at 2 (filed Dec. 15, 2010).

segments have become heavily used and require efficient antennas to maximize re-use.¹⁰

In view of Comsearch's knowledgeable support, the absence of any opposition, and the APA deficiencies, the Commission should rescind the challenged *Erratum*.

Respectfully submitted,



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¹⁰

Id.

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, a secretary with the law firm of Fletcher, Heald & Hildreth, PLC, hereby state that a true copy of the foregoing Reply Comments of the Fixed Wireless Communications Coalition was sent by first class mail, postage prepaid, this 10th day of January, 2011, to the persons on the attached Service List, except that persons having addresses at the Federal Communications Commission were served by hand.

A handwritten signature in black ink, appearing to read "D. N. Lunt", with a long horizontal flourish extending to the right.

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