

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

In the Matter of)	
)	
Unlicensed Operation in the TV Broadcast Bands)	ET Docket No. 04-186
)	
Additional Spectrum for Unlicensed Devices)	ET Docket No. 02-380
Below 900 MHz and in the 3 GHz Band)	
)	

Via the ECFS

THE WI-FI ALLIANCE OPPOSITION TO PETITIONS FOR RECONSIDERATION

The Wi-Fi Alliance hereby respectfully submits its Opposition to Petitions for Reconsideration of the Commission’s September 23, 2010 decision in the above-captioned proceedings relating to Part 15 devices operating on vacant TV channels (“white spaces”).¹

¹ The Second M&O was published in the Federal Register on December 6, 2010. 75 FR 75813.

INTRODUCTION AND SUMMARY

On September 23, 2010 the Commission adopted a Second Memorandum Opinion and Order (Second M&O) that establishes rules to allow wireless devices to operate in broadcast television spectrum on an unlicensed basis at locations where that spectrum is available.

Five parties, including the Wi-Fi Alliance, filed petitions for reconsideration of at least some aspects of the Commission's Second M&O.² As indicated in its petition for reconsideration, the Wi-Fi Alliance is highly supportive of the Commission's decision and supports the vast majority of the technical framework adopted. Nonetheless, the Wi-Fi Alliance recommended that the Commission reconsider or clarify certain aspects of its decision in order to assure that the rules do not over-protect incumbents in a manner that unduly restricts the full potential of TV band devices (TVBDs).

In this phase of this proceeding, the Wi-Fi Alliance responds to two of the other reconsideration petitions. In summary, the Wi-Fi Alliance agrees with the problems posed in the Cellular South and NCTA petitions, and urges the Commission to achieve the required protection of critical infrastructure and protection from interference by simple changes to operation of the TV bands device database.

NCTA³ notes the need to protect the locations of critical communications infrastructure, and asks the Commission to reconsider its decision to make all information in the TV bands device database publicly available for unrestricted public browsing. The Wi-Fi Alliance agrees there is no apparent compelling reason to make all information in the TV bands device database publicly available for unrestricted public browsing.

² *Petitions for Reconsideration of Action in Rulemaking Proceeding*, Public Notice, Report No. 2011-2903, (February 9, 2011).

³ *See* Petition for Reconsideration of the National Cable & Telecommunications Association (filed Jan. 5, 2011) ("NCTA Petition").

However, NCTA further asks that access to the contents of the TV bands device databases be restricted “to registered device manufacturers and operators of broadcasting and communications businesses,” excluding database access by IT departments supporting users of TVBDs.⁴ The Wi-Fi Alliance does not believe such restrictions are warranted, and that IT departments and users will need to access the database for locations of neighborhood TVBD fixed devices in order to help avoid or resolve interference complaints.

Cellular South⁵ seeks transmitter restrictions on TV channel 51 in order to better protect adjacent band incumbent services on former TV channel 52 from interference.

The petitioner requests that TVBDs using TV channel 51 are limited to 40 mW EIRP regardless of location, and that fixed TVBDs are not allowed to transmit on TV channel 51. The Wi-Fi Alliance agrees that Lower 700 MHz Band devices should enjoy the protection that will be afforded by the normal operation of the database once their locations and operating characteristics are considered.

ARGUMENT

PARTS OF THE TV BANDS DEVICE DATABASES SHOULD BE ACCESSIBLE TO ANY USER OF A TVBD MASTER DEVICE

The National Cable & Telecommunications Association filed a Petition for Reconsideration of the Second M&O,⁶ asking to restrict access to the contents of the TV bands device databases, and to protect information about the precise geographic coordinates of critical communications infrastructure.⁷

⁴ See NCTA Petition at III, second and third paragraphs, page 7.

⁵ See Petition for Partial Reconsideration of Cellular South, Inc., (filed Jan. 5, 2011) (“Cellular South Petition”).

⁶ See NCTA Petition

⁷ See NCTA Petition at III, second and third paragraphs, page 7.

The Wi-Fi Alliance recommends that the Commission restrict access for viewing the locations of critical communications infrastructure in the databases to authorized users.

The Wi-Fi Alliance supports IT departments and user access to the databases for locations of neighborhood TVBD fixed devices, in order to help avoid or resolve interference complaints. We oppose excluding the users of TVBD master devices from access to the TV bands device databases.

We expect that as experience is gathered, the Commission will change the requirements for access to the different parts of the databases.

FIXED AND PERSONAL/PORTABLE TVBDS SHOULD BE ALLOWED TO OPERATE ON 692-698 MHZ UNDER THE CONTROL OF THE TV BANDS DEVICE DATABASES

Cellular South, Inc. filed a Petition for Partial Reconsideration of the Second M&O,⁸ asking that TVBDs be restricted to adjacent channel rules for 692-698 MHz operation, to protect 700 MHz Band, frequency Block A licensees.

The Wi-Fi Alliance supports expanding the TV bands device databases to include locations and characteristics of licensed wireless facility base station receivers, as Cellular South requests.⁹

The Wi-Fi Alliance supports the operation of fixed and personal/portable TVBDs in 692-698 MHz at locations where they do not cause interference to a registered 700 MHz Band, frequency Block A, base station receiver.

The Wi-Fi Alliance believes that the databases should be changed so the operation of the TV bands device databases provides protection to all licensed users in TV bands or adjacent bands.

⁸ See Cellular South Petition

⁹ See Cellular South Petition at III, first paragraph, page 9

The Wi-Fi Alliance is confident that the inclusion in the database of locations and characteristics of licensed wireless facility base station receivers will protect the many rural uses of TVBDs, and the 700 MHz Band licensees.

CONCLUSION

The Wi-Fi Alliance recognizes that permitting operation of unlicensed devices in the TV band is a complex issue, and that great care has been taken in devising the rules in order to avoid interference with licensed systems. Our intention in this opposition to petitions is to provide the Commission with our best engineering and technical assessment of the required changes in the current rules to allow for the most efficient and economical operation of fixed and personal/portable TVBDs, while enabling our industry to develop devices that are commercially feasible and protective of the licensed users of this spectrum.

WI-FI ALLIANCE

A handwritten signature in black ink, appearing to read "Edgar Figueroa", written in a cursive style.

Edgar Figueroa
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