

Cohen, Dippell and Everist, P.C.

Before The  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Promoting More Efficient Use of ) ET Docket 10-237  
Spectrum Through Dynamic )  
Spectrum Use Technologies )

Comments  
on Behalf of  
Cohen, Dippell and Everist, P.C.

The following comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”) and is in response to ET Docket No. 10-237, Notice of Inquiry, FCC 10-198, adopted: November 30, 2010 and released November 30, 2010. CDE and its predecessors have practiced before the Federal Communications Commission (“FCC”) for over 70 years in broadcast and telecommunications matters. The firm or its predecessors have been located in Washington, DC since 1937 and performed professional consulting engineering services to the communications industry.

The undersigned is licensed as a Professional Engineer in the District of Columbia and has been in continuous employment with this firm or its predecessors for over fifty (50) years.

This firm supports the FCC establishing criteria and guidance whatever the proposed use. For example, at the workshop on February 25, 2011 at the FCC on the “4.9 GHz Band”<sup>1</sup> while

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<sup>1</sup>“Federal Communications Commission Announces Agenda for Workshop on the 4.9 GHz Band: Spectrum Dedicated to Public Safety for Broadband Use”.

positive results were noted by some of the speakers, several indicated that their organization were not able to use the 4.9 GHz frequency band due to alleged existing interference. That question of existing interference was not addressed. If there are areas found to make the 50 MHz of the 4.9 GHz band not useable because of existing interference, the FCC needs to appropriately investigate, and if necessary, address that potential problem. If the FCC determines a problem, then the FCC needs to find a solution so that corrective action can be taken and 4.9 GHz can be used regardless of location if there indeed is interference.

Similarly, the FCC should do a separate investigation whether or not its “contention-based protocols” permit an effective use of the 3650-3700 MHz band and whether or not its goals are being achieved.

The point we wished to make is that regardless of the band, the FCC needs to be intimately and continuously involved so as to maintain the integrity of the spectrum. It is recognized by recent FCC activities that it regards all spectrum as a valuable national resource, and therefore, it must have the resources to make efficient use of all spectrum.

Respectfully Submitted,



Donald G. Everist

DATE: February 28, 2011