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

In the Matter of	**)**	
	)	
Request for Licensing Freezes and Petition	**)**	**RM-11626**
for Rulemaking to Amend the Commission's	**)**	
DTV Table of Allocations to Prohibit the	**)**	
Future Licensing of Channel 51 Broadcast	**)**	
Stations and to Promote Voluntary	**)**	
Agreements to Relocate Broadcast Stations	**)**	
From Channel 51	**)**	

COMMENTS OF CINCINNATI BELL WIRELESS, LLC

Cincinnati Bell Wireless, LLC ("CBW") hereby submits comments on the Petition for Rulemaking and Request for Licensing Freezes filed by CTIA – the Wireless Association and the Rural Cellular Association ("the Petitioners") on March 15, 2011.

I. INTRODUCTION

CBW is regional wireless services provider which holds licenses for Broadband PCS, AWS and 700 MHz services covering the greater Cincinnati and Dayton, Ohio metropolitan area and surrounding counties in northern Kentucky and southeastern Indiana. CBW currently provides service to over 500,000 subscribers using GSM and 3G technologies.

CBW was the successful bidder on the 700 MHz Lower A Block license for the Dayton-Springfield, OH market in Auction No. 73 in 2008. With the first build-out date rapidly approaching, and the interim performance status reports due by June 13, 2011, CBW feels compelled to file in support of the Petitioners' request that the Commission (1) revise it rules to prohibit future licensing of TV broadcast stations on channel 51; (2) implement freezes, effective immediately, on the acceptance, processing, and grant of

applications for new or modified broadcast facilities seeking to operate on channel 51; and (3) accelerate clearance of channel 51 where incumbent channel 51 broadcasters reach voluntary agreements to relocate to an alternate channel.

CBW's build-out of its 700 MHz license in the Dayton-Springfield, OH market is directly impacted by an incumbent channel 51 TV broadcast station, specifically, WKEF, the ABC affiliate in Dayton, Ohio. Although CBW is exploring the feasibility of deploying technical solutions to prevent interference from channel 51, at this time, it appears that the technology does not yet exist to resolve the interference problems entirely. Therefore, CBW urges the Commission to grant the request of the Petitioners, particularly, as it relates to changes to accelerate the relocation of channel 51 incumbents to alternate channels.

II. INTERFERENCE FROM CHANNEL 51 MAY DELAY BROADBAND BUILD-OUT

When CBW bid on the 700 MHz licenses in 2008 it did so anticipating that this spectrum would be used to enhance its broadband deployment efforts. Unfortunately, subsequent to CBW's acquisition of the Dayton-Springfield, OH license, the extent of the potential for interference from channel 51 came to light and is now causing CBW to reassess its plans for using this spectrum.

As explained by the Petitioners, two types of interference can occur between channel 51 broadcast TV operations and 700 MHz Lower A Block operations. First, there is potential for interference from the channel 51 transmitters into A Block base station receivers. The second type of interference is that which could occur if mobile devices operating in the vicinity of a TV receiver exceed the minimum desired signal-to-

undesired signal ratio ("D/U"). At this time, technical solutions to these interference problems are not yet readily available.

CBW has been in contact with manufacturers regarding potential technical solutions that might address the problems in its Dayton-Springfield market. While it appears that there may be filters available that will mitigate interference from the channel 51 transmitter into the CBW A Block base station receivers, CBW has not yet found a feasible solution to the D/U interference.

As a result, CBW finds itself in a quandary as to how it will meet the June 2013 build-out requirement and comply with the Commission's interference protection requirements. By this first build-out date, CBW must provide signal coverage and offer service over at least 35% of the geographic area of its license. CBW is concerned that it may not be possible to meet this requirement if a technical solution to the D/U problem is not available by that time. As the panelists at the Commission's April 26th 700 MHz Interoperability Workshop[1] explained, technical solutions to this problem are still in the development stages and may take some time to reach the market. Without equipment that prevents D/U interference CBW will not be able to fully deploy broadband services in the Dayton-Springfield market.

Without a technical solution, in order to comply with the Commission's interference protection requirement it is estimated that a wireless provider must maintain a 60-mile exclusion zone surrounding the channel 51 DTV transmitter. This exclusion zone precludes any operation within the Dayton BEA 50. The options for addressing the problem in the near-term are very limited. One possible technical solution would involve

[1] Workshop on the Interoperability of Customer Mobile Equipment Across Commercial Spectrum Blocks in the 700 MHz Band, RM No. 11592, April 26, 2011.

using LTE advanced technology and carrier aggregation, however, it is not yet available, and when it becomes available, it would still leave half of the licensed spectrum unusable. The only other options available to CBW will be to abandon its deployment plans for the 700 MHz spectrum in this market or to negotiate with the channel 51 licensee to relocate to an alternative channel.

Any steps that the Commission can take to accelerate the relocation of channel 51 licensees to alternative channels will enhance the chances for deployment of mobile wireless broadband services in the impacted markets. Accordingly, CBW supports the request of the Petitioners to streamline the approval process when an A Block licensee and a channel 51 licensee reach a voluntary agreement. With the phase one build-out date rapidly approaching, carriers hoping to deploy broadband services in the 700 MHz Lower A Block will need as much time as possible to deploy their networks. However, they cannot move forward until the interference issues presented by the proximity of channel 51 licensees is resolved. As the Petitioners request, the Commission should prohibit licensing of future TV broadcast stations on channel 51 in order to limit the extent of the interference problem and, more importantly, the Commission should adopt the Petitioners' recommendation to streamline the channel 51 relocation process to facilitate the rapid deployment of advanced wireless broadband services within all licensed 700 MHz spectrum.

III. CONCLUSION

CBW urges the Commission to expeditiously grant the Petitioners' request so that 700 MHz Lower A Block licensees can move forward with some certainty as they develop plans on how best to deploy services in their licensed areas.

Respectfully submitted,

/s/Douglas E. Hart
Douglas E. Hart
441 Vine Street, Suite 4192
Cincinnati, Ohio 45202
(513) 621-6709
(513) 621-6981
dhart@douglasehart.com

Attorney for Cincinnati Bell
Wireless, LLC