

VIA ELECTRONIC FILING

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
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Amendment of Part 101 of the Commission's Rules to ) WT Docket 10-153  
Facilitate the Use of Microwave for Wireless Backhaul )  
and Other Uses and to Provide Additional Flexibility to )  
Broadcast Auxiliary Service and Operational Fixed )  
Microwave Licenses. )

**Response of Wireless Strategies Inc. to the Fixed Wireless Communications Coalition's  
Filing of December 30, 2011**

**I. Introduction**

The consequence of not updating rule 101.115(f) is to force operators of non-compliant antennas to use larger than necessary antennas, the opposite of the goal of the Commission, which is to find ways to minimize antenna size without "... *adversely affecting other users in the specific bands by increasing the risk of interference.*"<sup>1</sup> This goal is achieved by adhering to Rule 101.103 and the proposed update to Rule 101.115(f).

On December 30, 2011 the Fixed Wireless Communications Coalition (FWCC) made a filing against WSI's proposed minor changes to Rule 101.115(f). As the FWCC has no viable technical argument to oppose the proposed updating of Rule 101.115(f), they have resorted to making outlandish false statements regarding WSI's suggestions and positions such as "*WSI asks the Commission to abolish ... the Category A standard*", a statement that WSI has never made. They have also blatantly ignored the fact that Rule 101.115(f) applies to all non-compliant antennas and that Rule 101.103 applies to all antennas, compliant and non-compliant. There is no merit to the FWCC's position that non-compliant antennas have to meet or exceed an arbitrary Category B specification in order to minimize interference. This is simply not the case and would unnecessarily prevent new entrants from bringing the benefits of much lower-cost radios and antennas to market and to do so without incurring any increased risk of interference. See Exhibit A for WSI's detailed comments on the FWCC filing.

WSI does agree with the FWCC on their suggestion that when a potential case of interference from a non-compliant operator has been identified, the operator of the non-compliant antenna should be given a time limit to respond. We have therefore amended our suggested changes to Rule 101.115(f) to include a time limit.

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<sup>1</sup> FCC Docket 10-153, Section V FNPRM, paragraph 77.

## **II. Category A and Category B Antennas**

The Category A antenna specifications of Rule 101.115 has served the industry well for more than four decades and WSI does not recommend any changes to these specifications. However, any lessening of the Category A specifications to create a Category B specification, without other regulatory safeguards, would cause the blockage of new applicant paths. Fortunately the proposed minor changes to Rule 101.115(f) apply to all antenna patterns in frequency bands where the rule is applicable, and therefore takes precedence over arbitrary (Category B) antenna pattern specifications.

## **III. Proposed Minor Changes to Rule 101.115(f)**

Rule 101.115(f) details the conditions governing the deployment of Category B antennas in the 10,700-11,700 MHz band. WSI proposes that the conditions be revised to cover all directional antennas not meeting Category A standards in the 6GHz and 11GHz bands. The suggested rule change is given below.

*"In the 5,925 – 6,425MHz, 6,525 – 6,875MHz and 10,700 – 11700MHz bands a fixed station may employ transmitting and receiving antennas not meeting performance standard A in any area. If a Fixed Service or Fixed Satellite Service licensee or applicant makes a showing that it is likely to receive interference from such fixed station and that such interference would not exist if the fixed station used an antenna meeting a higher performance standard up to and including standard A, the fixed station licensee must modify its use. Specifically, the fixed station licensee must either substitute an antenna meeting a higher performance standard or operate its system with an EIRP reduced so as not to radiate, in the direction of the other licensee, an EIRP in excess of that which would be radiated by a station using a Category A antenna operating with the same EIRP. A licensee or prior applicant using an antenna that does not meet performance standard A may object to a prior coordination notice based on interference only if such interference would be predicted to exist if the licensee or prior applicant used an antenna meeting performance standard A. Licensees and new applicants with non-compliant antennas shall, when notified of a potential case of harmful interference supported by evidence -- such as an interference report from a spectrum manager which indicates a potential for harmful interference -- respond within 30 (thirty) days with an interference report showing that the potential interference has been eliminated or that the original report is in error."*

#### **IV. Smaller (non-compliant) antennas will not increase the risk of interference.**

In the Further Notice of Proposed Rule Making (FNPRM) the Commission asked, "*We seek comment on whether the use of smaller antennas pursuant to the proposed modifications will adversely affect other users in the specific bands by increasing the risk of interference.*"<sup>2</sup>

The answer is an unequivocal No, because:

(a) Rule 101.103 requires that a new applicant must demonstrate through the prior coordination process that proposed new stations will not cause harmful interference to existing stations. This requirement applies to the use of any antenna -- compliant or non-compliant -- in all applicable frequency bands.

(b) The proposed minor changes to Rule 101.115(f) prevent any non-compliant<sup>3</sup> antenna from causing harmful interference to compliant operators and new applicants in the 6GHz and 11GHz bands.

#### **V. Conclusions**

As small non-compliant antennas subject to Rule 101.103 and the proposed Rule 101.115(f) will not cause interference nor block new applications, WSI requests that the Commission act expeditiously to amend Rule 101.115(f) as proposed, so as to make it economically viable to bring broadband to un-served and underserved communities nationwide without further delay.

Respectfully submitted

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<sup>2</sup> WT Docket 10-153, Section V, para. 70, third sentence.

<sup>3</sup> FCC Docket 10-153, Section V FNPRM, reference 214.

cc:

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