BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of	)	
	)	
Amendment of the Commission's Rules	)	RM-11660
Governing Radiated Power Limits in the	)	DA-12-701
Cellular Radio Service Frequency Bands	)	
	)	

COMMENTS OF AT&T ON PETITION FOR EXPEDITED RULEMAKING

William L. Roughton, Jr.
Michael P. Goggin
Gary L. Phillips
Margaret E. Garber
AT&T SERVICES, INC.
1120 20th Street, NW
Washington, DC 20036
(202) 457-2040 (phone)

June 1, 2012

Counsel for AT&T Inc.

AT&T Services, Inc., on behalf of AT&T, Inc. and its subsidiaries ("AT&T"), files these comments on its petition for expedited rulemaking. AT&T petitioned the Federal Communications Commission ("the Commission" or "the FCC") for an expedited rulemaking[1] that would modify the current rules for cellular base station Effective Radiated Power ("ERP") limits contained in Section 22.913 of the Commission's rules, 47 C.F.R. § 22.913, to make them consistent with other mobile broadband services. Specifically, AT&T proposed that the current ERP limits for cellular base stations should be restated as power spectral density ("PSD") limits to eliminate unintended penalties on the deployment of advanced digital broadband modulation schemes.[2]

Given that the change in this technical rule will facilitate wireless broadband and Internet deployment, AT&T urges the Commission to proceed expeditiously on this matter. AT&T explained in its petition for rulemaking that the current rule inhibits the deployment of desperately needed mobile broadband capacity because it imposes upon cellular base stations a measure for power emissions that favors narrowband systems over more efficient wideband systems, like LTE. Updating the cellular power emission rule to measure power output not only by channel but also by megahertz – a change that has already been implemented without issue in other wireless bands – will permit efficient deployment of broadband wireless in the cellular frequencies and will help to achieve the Commission's goal of broadly available wireless broadband service.

Indeed, the Commission has already shown itself prepared to proceed without delay in matters such as this. In June 2011,[3] Sprint asked the FCC to eliminate a legacy channel spacing

---

[1] AT&T also sought a waiver of the existing rules, which is not the subject of this Public Notice.

[2] AT&T recommended a PSD limit of 250 watts/MHz in non-rural areas and 500 watts/MHz in rural areas, which will enable the broader roll-out of broadband systems without creating harmful interference to any adjacent licensees or services.

[3] *See, In the Matter of Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-based 800 MHz Specialized Mobile Radio Licensees*

and bandwidth limitation for Economic Area market (EA)-based[4] 800 MHz Specialized Mobile Radio (SMR) licensees in the 813.5-824/858.5-869 MHz band. Sprint argued that eliminating the 25 kHz bandwidth limitation for contiguous channel EA licensees would provide them with the same flexibility and technological neutrality enjoyed by other CMRS licensees. Since that time, the Commission has moved quickly to take comment on Sprint's proposal, publish a notice of proposed rulemaking, and, at its May 24, 2012 open meeting, adopt a report and order on Sprint's suggested rule change that the FCC said would "... amend a legacy regulatory requirement" and "provide certain spectrum licensees with increased regulatory and technical flexibility to deploy advanced wireless services in portions of the 800 MHz band."[5]

Granting AT&T's request would likewise amend a legacy regulatory requirement and facilitate deployment of advanced wireless services. AT&T therefore urges the Commission to adopt a similarly speedy approach to the rule change it has offered here. Enabling the rapid introduction of broadband technologies is clearly the Commission's policy, and it is plainly in the public interest. For its part, AT&T pledges that it will monitor the power spectral density docket closely and will promptly address any concerns voiced by other parties.

Request for Declaratory Ruling that the Commission's Rules Authorize Greater than 25 kHz Bandwidth Operations in the 817-824/862-869 MHz Band, WT Docket No. 12-64; WT Docket No. 11-110; Notice of Proposed Rulemaking (Released March 9, 2012).

[4] 47 C.F.R. §§ 90.7, 90.681.

[5] *In the Matter of Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-based 800 MHz Specialized Mobile Radio Licensees Request for Declaratory Ruling that the Commission's Rules Authorize Greater than 25 kHz Bandwidth Operations in the 817-824/862- 869 MHz Band,* WT Docket No. 12-64; WT Docket No. 11-110, Report and Order (Released May 24, 2012) at 1.

Conclusion

For the foregoing reasons, AT&T urges expedited treatment of its Petition to Amend the Commission's Rules Governing Radiated Power Limits in the Cellular Radio Service Frequency Bands.

Respectfully submitted,

William L. Roughton, Jr.
Michael P. Goggin
Gary L. Phillips
Margaret E. Garber
AT&T SERVICES, INC.
1120 20th Street, NW
Washington, DC 20036
(202) 457-2040 (phone)
Counsel for AT&T Inc.

June 1, 2012