

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In The Matter of)
)
Promoting Interoperability in the 700 MHz) WT Docket No. 12-69
Commercial Spectrum)
)

To: The Commission

COMMENTS OF VERIZON WIRELESS

As a general matter, Verizon Wireless supports Commission action to address issues through voluntary industry efforts, rather than prescriptive regulatory solutions, as the Commission suggests could be done here to address interoperability in the Lower 700 MHz band.¹ On the other hand, the Commission itself can do one thing directly to facilitate those industry efforts. As the Commission recognizes, if broadcast operations on television station Channel 51 were eliminated, there would be virtually no barrier to achieving universal interoperability among Lower 700 MHz mobile stations. Accordingly, the Commission can best assist in industry efforts to promote interoperability at Lower 700 MHz by providing incentives for licensees of Channel 51 to relocate to other channels as soon as possible.

The Third Generation Partnership Project (“3GPP”)² adopted two band classes for

¹ *Promoting Interoperability in the 700 MHz Commercial Spectrum*, Notice of Proposed Rulemaking, WT Docket No. 12-69, FCC 12-31, ¶ 49 (released Mar. 21, 2012) (“NPRM”).

² 3GPP is an international standards setting organization, which brings together six standards organizations from Asia, North America and Europe to publish mobile device and network standards. The six 3GPP partners are ARIB (The Association of Radio Industries and Business) based in Japan, ATIS (The Alliance for Telecommunications Industry Solutions) based in the United States, CCSA (China Communications Standards Association), ETSI (European Telecommunications Standards Institute), TTA (Telecommunications Technology Association)

Lower 700 MHz mobile operations, Band Class 12 covering the A, B and C Blocks, and Band Class 17, covering the B and C blocks. Licensees, device OEMs, and network equipment providers can build devices and equipment to operate on either band class; however, the devices and equipment, once deployed, will not be fully interoperable. Like other standards organizations, 3GPP uses a consensus-based, open participation process for standards setting, evaluating all proposals on their technical merits. Adoption of two band classes for the Lower 700 MHz was an industry technical response based on the perceived interference affecting Lower 700 MHz A, B and C Blocks from adjacent Channel 51 TV broadcast operations and from high-powered operations in the Lower 700 D and E Blocks.³

In the NPRM, the Commission correctly observes that “an industry solution to the question of interoperability in the Lower 700 MHz band would be preferable [to an FCC mandate] because such a solution allows greater flexibility in responding to evolving consumer needs and dynamic and fast-paced technological developments.”⁴ Verizon Wireless agrees that relying on consensus-based, standards setting organizations such as 3GPP will further the development of LTE (and other equipment) because the output of such organizations can be used throughout the industry for network and device equipment, thereby reducing costs and achieving interoperability across networks both domestically and internationally.

based in Korea, and TTC (The Telecommunications Technology Committee) based in Japan. See www.3gpp.org.

³ AT&T’s acquisition of 700 MHz D Block licenses from Qualcomm essentially eliminated concerns regarding interference from the D Block. See *Application of AT&T Inc. and Qualcomm Incorporated*, WT Docket No. 11-18, 26 FCC Rcd 17589, ¶¶ 61-68 (2011).

⁴ *NPRM*, ¶ 49. Verizon Wireless has addressed the Commission’s legal authority to adopt an interoperability mandate in its Comments (at 16-27) and Reply Comments (at 9-11) filed in RM-11592, and incorporates those comments by reference here.

On the other hand, the Commission itself can act directly to facilitate voluntary industry efforts to address Lower 700 MHz interoperability issues by moving ahead to resolve issues raised by the operation of TV Channel 51 stations on adjacent bands. Once the issues arising from Channel 51 operations are eliminated, an industry solution is likely to emerge for interoperable equipment in the Lower 700 MHz band without the need for equipment mandates. For example, AT&T, which uses Band Class 17 for its Lower 700 MHz network, has explained that once those issues are resolved, it “will not object, assuming supply chain availability, to supporting interoperability in the paired spectrum in the Lower 700 MHz band.”⁵

One way for the Commission to address this issue is to adopt rules to encourage Channel 51 broadcasters to relocate voluntarily in advance of the incentive auction authorized by the Middle Class Tax Relief and Job Creation Act of 2012.⁶ For example, the Commission could adopt rules to encourage rapid negotiation of voluntary relocation agreements by adopting a process for resolving disputes that arise from these negotiations, as the Commission has done in other proceedings.⁷ The Commission could adopt procedures to enable Channel 51 broadcasters that voluntarily relocate or terminate operations now to retain their rights to participate in the incentive auction and/or to avoid the need to relocate a second time. In addition, the Commission should also consider incentives for Channel 51 broadcasters who agree to relocate, such as, “first choice” among channels in the repacking process, and/or, for those that participate in the incentive auction, a premium on their bids to sell. Resolving the Channel 51 issues

⁵ *Letter from Joan Marsh, AT&T, to Marlene H. Dortch, FCC, WT Docket No. 11-18 (Dec. 22, 2011).*

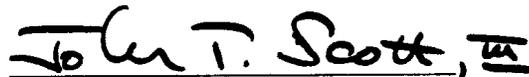
⁶ Pub. L. 112-96 (Feb. 22, 2012).

⁷ *See, e.g., Amendment to the Commission’s Rules Regarding a Plan for Sharing the Costs of Microwave Relocation, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8825 (1996) (establishing relocation rules for fixed microwave licensees).*

expeditiously is what will do the most to facilitate industry efforts to address Lower 700 MHz interoperability issues.

For the reasons set forth above, the Commission should support voluntary industry efforts to develop interoperability in the Lower 700 MHz spectrum band and should facilitate voluntary relocation of TV Channel 51 stations to achieve that goal.

Respectfully submitted,

A handwritten signature in black ink that reads "John T. Scott, III". The signature is written in a cursive style with a horizontal line underneath the name.

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