

extending service to unserved and underserved areas where DSL and high-speed cable are not available. The Commission has correctly observed that broadband providers require “adequate, reasonably priced, and efficiently provided access to both middle mile and second mile connectivity.”² But in many areas of the country, affordable connectivity options that deliver middle mile and second mile bandwidth often do not exist. As WISPA stated in Comments regarding the National Broadband Plan:

WISPs often lack affordable and competitive “second mile” and “middle mile” connectivity. Sparsely populated remote areas are more expensive to serve with any terrestrial technology, but in many cases fixed wireless offers the only sustainable business model. Yet, even with fixed wireless, lack of connectivity to the Internet backbone is a critical problem that must be addressed if broadband availability and adoption are to increase.³

More recently, WISPA supported the Commission’s proposal to make 750 megahertz of BAS and CARS spectrum in the 7 and 13 GHz bands available on a shared basis for fixed and backhaul services.⁴

Discussion

In its Petition, FWCC asks the Commission to “restart” the proceeding to establish service rules for the 41.0-42.5 GHz band, stating that it is “ideally suited to handling backhaul over the relatively short distances encountered in urban and suburban environments....”⁵ FWCC proposes link-based licensing with prior frequency

² See Public Notice, “*Comment Sought on Impact of Middle and Second Mile Access on Broadband Availability and Deployment*,” DA 09-2186, GN Docket Nos. 09-47, 09-51 and 09-137 (rel. Oct. 8, 2009), at 2.

³ See WISPA Comments filed Feb. 20, 2007 in *Unlicensed Operation in the TV Broadcast Bands; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band*, First Report and Order and Further Notice of Proposed Rulemaking, ET Docket Nos. 04-186, 02-380, 21 FCC Rcd 12266 (rel. Oct. 18, 2006), at 5. Rules were adopted in *Amendment of Part 101 of the Commission’s Rules to Facilitate Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees*, 26 FCC Rcd 11614 (2011).

⁴ See Comments of WISPA, WT Docket Nos. 10-153, 09-106 and 07-121, filed Oct. 25, 2010; Reply Comments of WISPA, WT Docket Nos. 10-153, 09-106 and 07-121, filed Nov. 22, 2010.

⁵ Petition at 1-2.

coordination rather than area-based licensing. FWCC requests that the Commission adopt service rules for the 42 GHz band to enable short-distance backhaul links to meet increasing bandwidth demands.

WISPA believes that FWCC has made a strong case for the adoption of service rules, and urges the Commission to initiate a rulemaking proceeding. Access to additional spectrum for backhaul can benefit those WISPs that need only a short link to provide backhaul and point-to-point connectivity, and the propagation characteristics of the 42 GHz band are well-suited to provide these services. Moreover, WISPs may prefer using licensed wireless links instead of leased fiber lines (if available). Through the development of a complete record, the Commission can craft rules that will efficiently license and promote non-interfering use of the band. WISPA looks forward to providing more detailed comments on service rules once the Commission adopts a notice of proposed rulemaking.

Respectfully submitted,

**THE WIRELESS INTERNET
SERVICE PROVIDERS ASSOCIATION**

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