

**Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

In the Matter of)
)
Wireless Telecommunications Bureau) WT Docket No. 12-156
Seeks Information From the Public)
For Report to Congress on Microwave)
Bands)

COMMENTS OF SPRINT NEXTEL CORPORATION

Sprint Nextel Corporation (“Sprint”) hereby respectfully submits its comments on the *Public Notice* in the above captioned proceeding.¹ By this *Public Notice* the Wireless Telecommunications Bureau (“Bureau”) requests information from the public for use in preparing a report to Congress on microwave bands, as required by Section 6412 of the Middle Class Tax Relief and Job Creation Act of 2012, P.L. 112-96 (“Spectrum Act”). Specifically, the Spectrum Act requires the Federal Communications Commission (“Commission”), within nine months of enactment, to submit a report to Congress on the “rejection rate” on requests made to the Commission and third-party coordinators for common carrier use of spectrum in the 11 GHz (10,700-11,700 MHz), 18 GHz (17,700-19,700 MHz) and 23 GHz (21,200-23,600 MHz) frequency bands.

Sprint uses the Common Carrier Fixed Point-to-Point Microwave Service as an occasional alternative to the special access services provided by the Incumbent Local Exchange carriers (“ILECs”) and others for backhaul of Sprint’s network traffic, when technically and economically feasible. Currently, less than 10% of Sprint’s backhaul is provided by microwave

¹ Wireless Telecommunications Bureau Seeks Information From the Public for Report to Congress on Microwave Bands, *Public Notice*, DA 12-972 (rel. June 20, 2012).

links. Of Sprint's nearly 1,250 common carrier microwave point-to-point licenses, approximately 900 authorize the use of spectrum in the 11 GHz, 18 GHz and 23 GHz bands. In these comments, Sprint briefly addresses its relevant experience regarding the coordination, application and operation of proposed fixed point-to-point microwave links in these bands.

Since January 1, 2010, Sprint has been able to successfully coordinate and obtain microwave licenses in the 11 GHz, 18 GHz and 23 GHz bands in the specific areas requested. During this period, Sprint has never been required to modify its initial request for a microwave link in these bands to seek a license in another frequency band due to channel pairs in the desired spectrum being unavailable.

Sprint submits that the Commission's current microwave licensing rules², which require advance frequency coordination, prior notice to nearby licensees, and then the filing of an application with the Commission, have maximized spectrum efficiency in these fixed microwave bands. The engineering and design requirements for each individual path typically results in the desired spectrum band being available in even the largest, most-congested markets, making available this critical resource to the maximum number of users and future applicants. Further, the Commission's current regulatory regime encourages other efficiencies such as co-location of antenna sites, operational reliability and avoidance of harmful interference.

Other licensing mechanisms are unlikely to serve the public interest as efficiently and effectively. For example, geographic area licensing via an auction process could further curtail future applicants from obtaining backhaul resources at fair prices, *particularly if ILECs were permitted to hold geographic microwave licenses in their existing service areas*. Reduced spectral efficiency also would likely result. Additionally, the large number of existing incumbent licensees in many areas could make overlay geographic licensing unattractive to

² See 47 C.F.R. Part 101.

potential applicants and minimize auction revenue for the Government. Alternative non-exclusive licensing mechanisms (such as adopted for the 3.65-3.70 GHz band) or unlicensed use of these point-to-point microwave bands would be unlikely to provide the reliability, capacity and interference protection necessary to support the backhaul of network traffic that commercial mobile radio service carriers require and their customers demand. Adopting a licensing regime that fails to provide the efficiency and flexibility provided by the current Commission rules would render common carrier microwave an even less economically viable alternative to ILEC backhaul circuits – for which the ILECs already demand monopoly or near-monopoly rents.

In conclusion, Sprint appreciates the opportunity to provide the requested information regarding its experience and views as an applicant for, and licensee of, common carrier point-to-point spectrum in the 11 GHz, 18 GHz and 23 GHz band.

Respectfully submitted,

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