



September 17, 2012

Electronic Filing

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in WT Docket No. 12-70, Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands; ET Docket No. 10-142, Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz; and WT Docket No. 04-356, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands

Dear Ms. Dortch:

DISH Network Corporation (“DISH”) files this letter in the above-referenced dockets in response to an ex parte submission made by MetroPCS Communications, Inc. (“MetroPCS”) on September 6, 2012.¹ In that letter, MetroPCS stated that it intended “to ask DISH to provide to MetroPCS the technical information necessary for MetroPCS to complete an interference and spectrum sharing analysis.”² Consistent with that statement, MetroPCS has sent the attached request to DISH.³ Most of the information requested by MetroPCS, however, is already in the public record.

The Commission invited comment six months ago on whether it is possible for Mobile-Satellite Service (“MSS”) and Ancillary Terrestrial Component (“ATC”) operations to coexist in the 2 GHz band with separately licensed terrestrial operations.⁴ In its comments, filed on May 17, 2012, MetroPCS asserted that spectrum sharing was “technically feasible” but did not provide

¹ MetroPCS Communications, Inc., Notice of Ex Parte, WT Docket No. 12-70, at 1 (filed Sept. 6, 2012).

² *Id.*

³ Letter from Carl W. Northrop, Counsel for MetroPCS Communications, Inc., to Alison Minea, Corporate Counsel for DISH Network Corporation, at 1 (Sept. 7, 2012) (“MetroPCS Letter”) (attached).

⁴ Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands; ET Docket No. 10-142, *Notice of Proposed Rulemaking and Notice of Inquiry*, FCC 12-32 (rel. Mar. 21, 2012).

any engineering or technical analysis in support.⁵ On July 17, 2012, more than six weeks after the time for filing reply comments,⁶ MetroPCS stated to the Commission that it would submit a relevant white paper “in the near future.”⁷

The information requested by MetroPCS has been available to conclude such white paper. In particular, as with all Commission-reviewed satellites, the technical parameters of TerreStar-1 and DBSD G-1 and their accompanying earth stations are a matter of public record filed in the relevant schedules or technical appendices.⁸ DISH’s predecessors (DBSD and TerreStar) were required to provide this information for each satellite when filing the relevant “landing rights” applications pursuant to Section 25.114 of the Commission’s rules, including (1) radio frequencies requested,⁹ (2) the number of beams,¹⁰ (3) each beam’s bandwidth, power, and maximum EIRP,¹¹ (4) space station longitude,¹² (5) space station antenna gain and receive temperature and G/T,¹³ (6) space station transmit gain contours,¹⁴ and (7) forward and reverse handset link budgets (e.g., receive antenna gain, temperature, and noise figure).¹⁵ These schedules and appendices are in the Commission’s records and available for public inspection, and they contain all of the technical system information that DISH used in preparing its own engineering report.

The Commission should not permit any still outstanding analysis to cause further delay in this proceeding. DISH filed its own technical report on May 17, 2012 as part of its initial comments in this proceeding, which concluded (in line with Commission precedent) that “co-frequency sharing between two separate operations . . . is not feasible today and cannot be mitigated by the use of the LTE architecture.”¹⁶ The Commission should confirm its tentative conclusion in this rulemaking.

⁵ MetroPCS Comments at 20-21.

⁶ See FCC, Wireless Telecommunications Bureau Announces Pleading Cycle for Comments and Reply Comments on the Advanced Wireless Services in the 2 GHz band, DA 12-603 (rel. Apr. 17, 2012).

⁷ MetroPCS Communications, Inc., Notice of Ex Parte, WT Docket No. 12-70 (filed July 17, 2012).

⁸ 47 C.F.R. § 25.114; see also, e.g., File No. SAT-MOD-20070529-00075 (providing the technical specifications for TerreStar-1 in the technical appendix and Schedule S attached to the application); File Nos. SAT-MOD-20070919-00129, SAT-AMD-20071129-00166 (providing the technical specifications for DBSD G-1 in the technical appendix and Schedule S attached to the application).

⁹ 47 C.F.R. § 25.114(4)(i).

¹⁰ *Id.* § 25.114(c)(4)(ii)-(iii).

¹¹ *Id.* § 25.114(c)(4)(ii).

¹² *Id.* § 25.114(c)(5)(i).

¹³ *Id.* § 25.114(c)(4)(iv)-(vi).

¹⁴ *Id.* § 25.114(d)(3).

¹⁵ *Id.* § 25.114(d)(4).

¹⁶ DISH Comments at 11.

ATTACHMENT:

**Letter from Carl W. Northrop, Counsel for MetroPCS
Communications, Inc., to Alison Minea, Corporate Counsel
for DISH Network Corporation (Sept. 7, 2012)**



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September 7, 2012

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VIA E-MAIL – ALISON.MINEA@DISHNETWORK.COM

Alison A. Minea
Corporate Counsel
DISH Network Corporation
1110 Vermont Avenue, NW
Suite 750
Washington, DC 20005

Re: WT Docket No. 12-70 (AWS-4)

Dear Ms. Minea:

I am writing to you on behalf of MetroPCS Communications, Inc. (“MetroPCS”) in connection with the above-referenced proceeding before the Federal Communications Commission (the “FCC”). In that proceeding, MetroPCS has put forth two alternative plans for the AWS-4 spectrum.¹ In connection with its proposals, MetroPCS has engaged a consulting satellite engineer to prepare a technical report addressing the feasibility of MetroPCS proposals.

While MetroPCS has indicated that it planned to file its report as soon as possible, the completion of the technical report has been delayed because of the paucity of publically available information regarding the complete technical parameters and full capabilities of the DISH satellites, particularly with respect to DISH’s proposed AWS-4 deployment. Knowing that DISH is anxious for the Commission to wrap up this proceeding, we concluded after consultations with the Commission staff that the best way to proceed would be to ask you to supply the missing technical information to MetroPCS. If DISH is willing to cooperate, MetroPCS will work with DISH to agree upon procedures to protect from public disclosure any proprietary or competitively-sensitive information that is provided.

Specifically, MetroPCS requests that DISH provide the forward downlink budgets and return uplink budgets for each radio technology DISH plans to use in connection with its planned service (e.g. GMSA/EGAL, etc.), as follows:

¹ See Comments of MetroPCS filed May 17, 2012 and Reply Comments of MetroPCS filed June 1, 2012 in WT Docket No. 12-70.

MSS forward downlink budget, including the following parameters:

- Space station orbital longitude
- Radio interface technology
- Frequency range (2180 – 2200 MHz)
- Space station transmit antenna gain
- Space station transmit gain contours of typical individual spot beam in GIMS (.gxt) format
- Space station transmit signal power
- Space station transmit signal bandwidth
- Handset receive antenna gain
- Handset receive temperature
- Handset receive noise figure
- Maximum number of space station transmit beams that can be formed simultaneously
- Maximum EIRP that can be provided to a single beam

MSS return uplink budget, including the following parameters:

- Radio interface technology
- Frequency range (2000 – 2020 MHz)
- Handset transmit antenna gain
- Handset transmit signal power
- Handset transmit signal losses
- Handset transmit signal bandwidth
- Space station receive antenna gain
- Space station receive gain contours of typical individual spot beam in GIMS (.gxt) format
- Space station receive temperature
- Space station receive G/T
- Space station orbital longitude
- Maximum number of space station receive beams that can be formed simultaneously

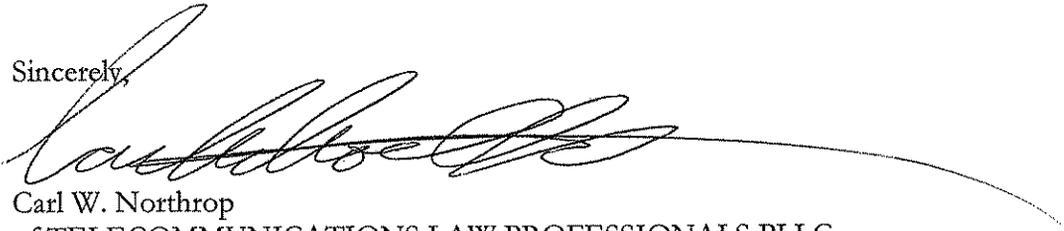
I will be glad to speak with you about this request and to discuss appropriate procedures related hereto. We are hopeful that DISH will be amenable to sharing this information. However, {00032453;v3}

Alison A. Minea
September 7, 2012
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in the interest of full disclosure, we expect to ask the Commission to direct DISH to file the requested information in the docket if it is not voluntarily disclosed to MetroPCS in a timely manner pursuant to this request.

I look forward to hearing from you at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl W. Northrop", with a long horizontal flourish extending to the right.

Carl W. Northrop
of TELECOMMUNICATIONS LAW PROFESSIONALS PLLC