



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

FEB 25 2013 10:01:25

Mr. Julius P. Knapp  
Chief, Office of Engineering and Technology  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: Amendment of Parts 1, 2, 15, 74, 78, 87, 90, and 97 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC-07), Other Allocation Issues, and Related Rule Updates (ET Docket No. 12-338)

Dear Mr. Knapp:

With the advice of the Interdepartment Radio Advisory Committee, the National Telecommunications and Information Administration (NTIA) reviewed the Notice of Proposed Rulemaking in the above-referenced proceeding and noted an issue with the proposed modifications in the band 5091-5150 MHz. While the Federal Communications Commission (FCC) included the proposal contained in my letter to you dated August 20, 2009,<sup>1</sup> NTIA has concluded that NTIA needs to change the approach to meet the needs of airport operations by including a fixed service allocation. The proposed systems at airports will include stations in the fixed service in addition to those in the aeronautical mobile (route) service. Even though the international allocation table does not include the fixed service in this band, the work within the International Telecommunications Union (ITU) recognized that this service was integral to the systems being studied.<sup>2</sup> The enclosure contains a proposed footnote to the U.S. table of frequency allocations to allow the fixed service operations under specified conditions.

Thank you for your consideration. Edward M. Davison (202-482-5526; edavison@ntia.doc.gov) from my staff will be the NTIA point-of-contact on this issue.

Sincerely,

Karl B. Nebbia  
Associate Administrator  
Office of Spectrum Management

Enclosure

<sup>1</sup> See Letter from Karl B. Nebbia, Associate Administrator, Office of Spectrum Management, NTIA, to Julius P. Knapp, Chief, Office of Engineering and Technology (OET), FCC, ET Docket No. 12-338, dated August 20, 2009.

<sup>2</sup> See ITU Resolution 229 (WRC-12); ITU Recommendation ITU-R M.1450-4 (April 2010); ITU Report ITU-R M.2232 (November 2011).

## ENCLOSURE

USXXX - The band 5091-5150 MHz is also allocated to the fixed service on a primary basis limited to systems operating in:

- conjunction with the stations in the aeronautical mobile (R) service allocated in accordance with No. **5.444B**.
- accordance with international aeronautical standards, limited to surface applications at airports. The requirements on and protection of the fixed service shall be the same as for the AM(R)S operating in accordance Resolution **748 (Rev.WRC-12)**.