



Wireless Internet Service Providers Association

July 11, 2013

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

**Re: Notice of Oral Ex Parte Presentation
GN Docket No. 12-268**

Dear Ms. Dortch:

On July 10, 2013, on behalf of the Wireless Internet Service Providers Association (“WISPA”), I met with members of the Commission’s Incentive Auction Task Force to discuss the above-referenced pending rulemaking proceeding.¹ Joining me was Stephen Coran, WISPA’s counsel. The attached presentation was distributed and discussed at the meeting.

In addition to the points made in the written presentation, we stressed that wireless Internet service providers (“WISPs”) would benefit from having access to large blocks of contiguous unlicensed TV band spectrum to enable large channel sizes (through channel bonding) and frequency re-use (through securization). We reiterated WISPA’s proposal that, wherever possible, the Commission refrain from offering at auction spectrum below Channel 37, especially in rural areas where vacant TV band spectrum is likely to be more abundant. We also pointed out that market variation would involve consideration of the level of interference protection that unlicensed TV band users would need to provide to 600 MHz licensees.

We discussed WISPA’s view that unlicensed use should be permitted to continue in areas where 600 MHz licensees were not actually providing service, and expressed interest in developing reasonable procedures by which unlicensed users could obtain notice of impending licensed operations that would require unlicensed users to vacate the licensed spectrum.

¹ A list of the Commission attendees is attached hereto, and courtesy copies are being provided by email to each.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-captioned proceedings.

Respectfully submitted,

/s/ Matt Larsen

FCC Committee Chair

Enclosures

List of FCC Attendees

Sandra Danner
Renee Gregory
Matthew Hussey
Ira Keltz
Paul Malmud
Paul Murray
Matthew Oetting
Aspasia Paroutsas
Jamison Prime
Blaise Scinto
Edward Smith
Alan Stillwell
Jeffrey Tignor
Jennifer Tomchin
Hugh Van Tuyl
Bob Weller



WISPs and White Spaces

July 10, 2013



600 MHz Band Plan

- Where possible, preserve *contiguous* blocks of vacant spectrum between Channels 21 and 37 for unlicensed operations, subject to database protection of incumbents
 - 36 megahertz of *contiguous* white space spectrum will enable use of 24 megahertz of unlicensed spectrum for fixed use
 - “Channel 51 Down” band plan allows for auctioning of maximum amount of spectrum above Channel 37, and therefore reduces need to auction spectrum below Channel 37

600 MHz Band Plan

- “Market variation” introduces significant threat to unlicensed use of TV band spectrum
 - More unconstrained markets in rural areas, so FCC could auction *all* available TV band spectrum and leave little or *no* white space for unlicensed use
 - Questions about expected auction revenues from auctioning unpaired spectrum
 - Device issues
 - Separation between TV and wireless operations
 - Consumer welfare benefits of unlicensed spectrum may exceed auction revenue value
 - Significant unaddressed interference protection issues concerning spectrum sharing between unlicensed users and 600 MHz licensees
 - Complexity reduces incentive for investment

Post-Auction Operations

- Unlicensed operations should be permitted after the auction until the licensee actually begins operating in the particular area of unlicensed operations
 - For example, licensed operations in an urban area should not preclude unlicensed operations in a rural area
- FCC can adopt procedures, or empower industry to develop standards, to ensure licensees will not experience interference from unlicensed operations
 - Process should encourage cooperation between licensees and unlicensed operators without creating significant burdens on licensees
 - WISPA willing to work with FCC, database administrators and other stakeholders to develop mutually acceptable notification process

Auction Rules

- Auction rules should encourage meaningful participation by small businesses
 - At least two paired 5 x 5 blocks should . . .
 - Be auctioned by Cellular Market Area (CMA), and
 - Allow a 35% bidding credit for “very small businesses,” i.e., those with average gross revenues of \$3 million or less
- Results of past auctions show that when spectrum is auctioned by CMA, smaller entities have acquired a greater percentage of licenses, especially in rural counties