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

Re: Reply Comments to NPRM RM-11715 (Mimosa 10 ghz proposal)

Dear Ms. Dortch:

Multi-Path Networks, Inc. would like to recommend to the Commission to adopt Mimosa's proposal for the 10-10.5 Ghz band and for it to be regulated using Part 90 Subpart Z with unrestricted contention-based protocol equipment having access to the entire frequency band except as proposed by Mimosa to avoid interference with amateur and federal government users. We would also like to recommend, in addition to the 10-10.5 Ghz band, the Commission also look to add the 3.3-3.5 Ghz band to the Part 90 Subpart Z regulated spectrum. It would be in the public's best interest if the 10-10.5 Ghz band was used solely for point-to-point links and for the 3.3-3.5 Ghz band to allow both point-to-point and point-to-multipoint configurations without a Spectrum Access System requirement. Including these two frequency bands would also help the Commission to quickly open the 3.5-3.7 Ghz band to the open bidding process while moving existing Part 90 Subpart Z users to other spectrum without the need for a five year waiting period.

If included in Part 90 Subpart Z, a change to the registration process and allowing restricted contention-based protocol equipment as defined in Part 90.1319 Subpart C would greatly benefit the 3.3-3.5 Ghz band. Instead of registering all units as is currently the case with the 3.65-3.7 Ghz band, Multi-Path Networks would like to propose the 3.3-3.5 Ghz band only require the base stations / access points (AP) need to be registered with no registration required for stations / client premise equipment (CPE) within a five mile radius of the access point. If the 3.3-3.5 Ghz band is used for point-to-point operation and/or the station is outside of a five mile radius of an access point, then both units and the link should be registered to help facilitate spectrum sharing and cooperation among users.

Multi-Path Networks would not recommend the use of a Spectrum Access System (SAS) as a requirement in the 10-10.5 Ghz band and oppose SAS use in the 3.3-3.5 Ghz band. SAS requirements add an element of unreliability with the need to check into and register with an internet based database before operation and would make the use of the 10-10.5 Ghz and 3.3-3.5



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Ghz bands unsuitable for critical operations. First Responders and other emergency personnel are increasing relying on small businesses such as wireless internet service providers (WISPs) for secure wireless private networks to link locations. They choose WISPs because they usually serve rural areas better, are more cost effective than bigger telecommunication companies, and more secure in regards to the internal network traffic security. The addition of SAS registration as a requirement would also increase the cost of the equipment in these two bands along with an unnecessary fee going to the database maintainers. The additional costs will then need to be passed-through small businesses to the clients in rural areas. This will have the effect of raising rural broadband costs and put rural broadband access out of the affordable reach of many.

Allowing both the 10-10.5 Ghz and 3.3-3.5 Ghz bands to operate as Part 90 Subpart Z would help promote rural broadband and small business growth and would allow the Commission to immediately open the 3.5-3.7 Ghz band to priority access licensing and competitive bidding while providing additional incentives to existing 3.65-3.7 Ghz Part 90 Subpart Z license holders to relocate. Many equipment manufacturers, such as Ubiquiti Networks, already produce and market the 10-10.5 Ghz and 3.3-3.5 Ghz bands in other countries worldwide and so the two requested bands could be used immediately as soon as approval by the Commission is given and the equipment is recertified for import, sale, and/or use in the United States.

In conclusion, if neither the 10-10.5 Ghz band nor the 3.3-3.5 Ghz band can be included into Part 90 Subpart Z, Multi-Path Networks, Inc would like to urge the Commission to find and set aside a feasible amount of spectrum specifically for small wireless internet service providers to use under Part 90 Subpart Z. This would be in the public's best interest by reducing congestion and interference on unlicensed Part 15 frequencies while promoting small businesses, thereby adding jobs and growing the economy. Wireless internet service providers are growing in number to fill the need of rural broadband access to residents and as such need will to be recognized as a secondary authorized user to the federal government in a specific frequency band soon.

Pursuant to Section 1.1206(b) (2) of the Commission's rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket. Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "Anthony L. Popwell". The signature is written in a cursive style with a large, sweeping initial 'A'.

Anthony L. Popwell