



BIG CITY TECHNOLOGY. SMALL TOWN VALUES.



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

Re: Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49

Dear Ms. Dortch:

The FCC recently indicated that they will soon eliminate the ability to operate devices in the 5725-5850 MHz band. What the FCC failed to consider was the devastating consequences such a decision would have on Wireless Internet Service Providers (henceforth, "WISPs"), especially those WISPs who primarily serve rural communities. In fact, it very much seems that the negative consequences strongly outweigh whatever advantages there would be. It is in this spirit that we strongly condemn the *Order* and strongly urge the FCC to reconsider reinstating Section 15.247.

To begin, Jade Communications, LLC, located in the San Luis Valley of southern Colorado, serves roughly 2,000 customers in largely rural areas. We utilize the 5725-5850 band to traverse distances spanning 300 miles. Our broadband connectivity area spans roughly the size of New Jersey. In doing so, we offer our customers, who historically have not had access to broadband services, broadband connectivity speeds up to 100 Mbps. Thus, this band has allowed us to offer the best broadband services possible at very affordable and competitive rates.

In June 20, 2014, Mr. Harnish, the executive director of the Wireless Internet Service Providers Association (WISPA), emphasized that the 5725-5850 MHz band is the "workhorse" for many WISPs. We are in agreement with his keen analysis. In fact, *all* of our point to point and point to multipoint systems, primarily Cambium radios, are currently on the 5725-5850 MHz band. The vast majority of these devices that run within the 5725-5850 MHz band are point to point and point-to-multipoint communications.

Of course, in many rural areas, the *only* way to deliver broadband services to rural customers is via the 5725-5850 MHz band as the fiber, microwave, and other alternatives are economically inhibitive. Also, technically speaking, there is *no possible justification* for restricting out-of-band emissions. For as long as we can remember, devices certified under

Section 15.247 and Section 15.407 did not and *will not* interfere with Terminal Doppler Radio. Additionally, all Section 15.247 registered devices have co-existed without harmful interference for many years.

Should Section 15.247 remain unchanged, a restriction on the 5725-5850 MHz band would certainly unleash a devastating chain of fiscal consequences, customer performance loss, and change the very nature of how we, as a WISP, do broadband internet. First, we would have to modify our existing broadband equipment at enormous cost. It would cost \$20,000 per tower and \$650 per subscriber. Currently, we have 20 towers and close to 2,000 subscribers. Put all together, the estimated cost is \$1.7 million dollars *just* to change all our equipment to a new MHz. Secondly, having to move all subscribers to a new MHz band will automatically *decrease* and *limit* broadband performance.

Furthermore, the 5725-5850 MHz band is a *necessary prerequisite* to continue providing dependable and affordable broadband services to rural, suburban, and metropolitan Americans. Without this band, our capacity, as WISPs, to provide outstanding broadband internet at very competitive prices would be severely weakened.

Lastly, we are not the only WISP petitioning for reconsideration of this ruling. Our colleague, Mr. Harnish, the executive director of the WISPA, recently wrote your agency echoing a similar position. Instead of restricting 5725-5850 bands, what the Commission should consider is enhancing software security *while* permitting devices to operate under Section 15.247. This solution is much more viable and sustainable than restricting devices under Section 15.247.

To conclude, we stand strongly opposed to the recent decision to restrict the 5725-5850 GHz band. We pray that you strongly consider reversing this decision in light of the aforementioned consequences and reinstate Section 15.247.

Thank you for your consideration,



Alan Wehe

Jade Communications, LLC