

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Wireless Backhaul: Further Inquiry into)	WT Docket No. 10-153
Fixed Service Sharing of the)	
6875-7125 MHz and 12700-13200 MHz Bands)	

COMMENTS OF THE SATELLITE INDUSTRY ASSOCIATION

The Satellite Industry Association (“SIA”) pursuant to Section 1.415 of the Commission’s Rules, 47 C.F.R. § 1.415, submits these comments in response to the above-referenced Public Notice, DA 11-1101, released June 7, 2011 (the “Notice”). The Notice relates to a rulemaking proceeding the Commission commenced last year to explore possibilities for making additional spectrum available for terrestrial wireless backhaul, and focuses on the feasibility of Fixed Service (“FS”) sharing of the 7 and 13 GHz bands.¹

Strangely, however, the public notice is limited to consideration of sharing between the proposed new FS operations and two other existing terrestrial operations in those bands, the Broadcast Auxiliary Service (“BAS”) and Cable Relay Television Service (“CARS”). Once again, as in the case of the Wireless Backhaul NPRM/NOI, it would appear that the co-primary fixed satellite service (“FSS”) allocation in the 7 and 13 GHz bands has been ignored. This failure to even acknowledge the existence of the co-primary FSS allocation in a public notice about coordination and sharing in these bands is particularly surprising because SIA had filed detailed comments on the Wireless Backhaul NPRM/NOI. In those comments, SIA

¹ See Notice at 1 & n.1., *citing Amendment of Part 101 of the Commission’s Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees, et al.*, WT Docket No. 10-153, *et al.*, Notice of Proposed Rulemaking and Notice of Inquiry, 25 FCC Rcd 11246 (2010) (“Wireless Backhaul NPRM/NOI”).

highlighted the broad range of satellite network operations in the 7 and 13 GHz bands today and explained that a portion of these bands has been specially reserved for FSS operations under an international allotment plan.²

SIA urges the Commission not to lose sight of the co-primary status of FSS operations in these bands when it considers the feasibility of FS sharing. At the very least, the Commission should ensure that existing and future FSS operations will be protected consistent with their co-primary status, and that introduction of new FS systems will be subject to coordination with satellite operations as required under Part 101 of the Commission's rules.³

DISCUSSION

SIA is a U.S.-based trade association providing worldwide representation of the leading satellite operators, service providers, manufacturers, launch service providers, remote sensing operators, and ground equipment suppliers. Since its creation fifteen years ago, SIA has become the unified voice of the U.S. satellite industry on policy, regulatory, and legislative issues affecting the satellite business.⁴

² Comments of the Satellite Industry Association, WT Docket No. 10-153, *et al.*, filed Oct. 25, 2010 ("SIA October 2010 Comments") at 9-12.

³ See 47 C.F.R. § 101.103(d) (requiring FS applicants to coordinate with existing licensees, permittees and prior applicants before filing an application).

⁴ SIA Executive Members include: Artel, Inc.; The Boeing Company; CapRock Communications, Inc.; The DIRECTV Group; Hughes Network Systems, LLC; DBSD North America, Inc.; Echostar Satellite Services, LLC; Integral Systems, Inc.; Intelsat S.A.; Iridium Communications Inc.; LightSquared; Lockheed Martin Corporation; Loral Space & Communications, Inc.; Northrop Grumman Corporation; Rockwell Collins Government Systems; SES WORLD SKIES; and TerreStar Networks, Inc. SIA Associate Members include: Arqiva Satellite and Media; ATK Inc.; Cisco; Cobham SATCOM Land Systems; Comtech EF Data Corp.; DRS Technologies, Inc.; Eutelsat, Inc.; GE Satellite; Globecom Systems, Inc.; Glowlink Communications Technology, Inc.; iDirect Government Technologies; Inmarsat, Inc.; Marshall Communications Corporation; Orbital Sciences Corporation; Panasonic Avionics Corporation; Segovia, Inc.; Spacecom, Ltd.; Spacenet Inc.; Stratos Global Corporation; TeleCommunication Systems, Inc.; Telesat Canada; Trace Systems, Inc.; and ViaSat, Inc. Additional information about SIA can be found at <http://www.sia.org>.

In the Wireless Backhaul NPRM/NOI, the Commission stated that its objective was to provide additional flexibility to support FS use of frequencies below 13 GHz “*while protecting incumbent licensees in these bands.*”⁵ SIA members have a strong interest in ensuring that the Commission makes good on this commitment with respect to co-primary FSS operations in the 7 and 13 GHz bands.

To that end, SIA pointed out in its previous comments that the Commission cannot assess the possibility of introducing new FS networks into the 7 and 13 GHz bands without taking into account co-primary satellite operations. SIA described the broad range of satellite networks that use this spectrum today and which can be expected to use this spectrum tomorrow. These include SiriusXM satellite radio, which relies on feeder links in the 6875-7125 MHz band to serve tens of millions of subscribers; the GlobalStar Big LEO Mobile Satellite Service system, which serves many government and public safety users; and numerous FSS spacecraft authorized to use the 12700-12750 MHz spectrum.⁶

SIA also emphasized that portions of the 6875-7125 MHz and 12700-13200 MHz bands have been specifically reserved by the International Telecommunication Union (“ITU”) for FSS pursuant to an allotment plan in Appendix 30B of the ITU Radio Regulations.⁷ The United States was instrumental at the 2007 World Radiocommunication Conference in efforts to improve Appendix 30B, and these improvements make it likely that use of this band within the Americas for satellite services will increase in the future.⁸ As a result, the Commission should

⁵ Wireless Backhaul NPRM/NOI at 3 (¶ 4) (emphasis added).

⁶ SIA October 2010 Comments at 9-10.

⁷ *Id.* at 10-11. The Appendix 30B plan grants every country (including many developing nations) assured rights to use the 6725-7025 MHz and 12750-13250 MHz bands in designated orbital locations to provide FSS. *See* ITU Radio Regulations, Edition of 2008, Appendix 30B.

⁸ SIA October 2010 Comments at 11.

consider carefully the international implications of any expansion of terrestrial use of these bands that may impair the availability of this spectrum for satellite services.⁹

Despite the detailed information in the SIA October 2010 Comments regarding these matters, the instant Notice would seem to continue the pattern established by the original Wireless Backhaul NPRM/NOI by failing to take into account co-primary satellite use of the 7 and 13 GHz bands. The Notice requests further input on coordination procedures and geographical limitations that would apply to FS entry into these bands, but the discussion is limited to sharing with existing BAS and CARS licensees.¹⁰ Similarly, attached to the Notice are maps reflecting additional Commission analysis of the geographic areas in which there are existing licensees entitled to protection, but the maps display only the BAS and CARS licensees, and not the satellite networks.¹¹

Clearly, any assessment of the feasibility of introducing new FS networks in the 7 GHz and 13 GHz bands must consider *all* existing services entitled to protection on a co-primary basis, including the FSS. To date, however, nothing in the Wireless Backhaul NPRM/NOI or the Notice provides any comfort that, on the issue of sharing and coordination, satellite operations will be taken into account appropriately or at all. SIA urges the Commission to address this deficiency by seeking input that recognizes the need for any new FS networks to protect and co-exist with co-primary satellite uses.

As SIA has previously stated, if the Commission were to proceed with steps to allow FS use of the 7 GHz and 13 GHz bands, it must make clear that existing and new satellite operations are protected consistent with their co-primary status, and that new FS applicants are

⁹ *Id.*

¹⁰ *See* Notice at 1-4 & 6-7.

¹¹ *Id.*, Attachments A through C.

required to coordinate pursuant to Section 101.103 with earlier-licensed satellite users.¹² The Commission also should not allow the use of auxiliary stations in these bands, as SIA has previously explained.¹³

CONCLUSION

For the reasons discussed herein and those set forth in the SIA October 2010 Comments, SIA requests that the Commission protect co-primary satellite services if it decides to permit new FS networks in the 7 GHz and 13 GHz bands.

Respectfully submitted,

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¹² SIA October 2010 Comments at 11-12.

¹³ *See id.* at 4-9.