

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Petition for Rulemaking of the Fixed)	
Wireless Communications Coalition for)	File No. RM-11664
Service Rules for the Fixed Service)	
in the 41.0-42.5 GHz Band)	

REPLY COMMENTS OF THE SATELLITE INDUSTRY ASSOCIATION

The Satellite Industry Association (“SIA”) hereby replies to the comments filed in support of the Petition for Rulemaking of the Fixed Wireless Communications Coalition (“FWCC”) in the above-captioned proceeding (“Petition”).¹

The supporting comments suffer from many of the same flaws that undermine the Petition itself. Like the Petition, these comments treat the 41.0-42.0 GHz band as if it were an unencumbered slice of spectrum ripe for use by the wireless industry. Only in passing (if at all) is the preferred position of the Fixed-Satellite Service (“FSS”) in the band under the prevailing “soft segmentation” plan even acknowledged – and at no time are the obstacles to achieving technical compatibility between the FSS and the Fixed Service (“FS”) meaningfully addressed.² The Wireless Internet Service Providers Association (“WISPA”) offers the opinion that the Commission “can craft rules that will efficiently license and promote non-interfering uses of the

¹ See Comments of the Wireless Internet Service Providers Association, RM-11664 (filed July 9, 2012) (“WISPA Comments”) and Comments of Bluwan UK Limited, RM-11664 (filed July 9, 2012) (“Bluwan Comments”).

² See WISPA Comments at 3; see also Petition at 2. The Bluwan Comments do not mention FSS use of the V-band at all.

band” through “the development of a complete record.”³ However, the preponderance of technical work into the question of FSS-FS spectrum sharing rejects such a simplistic conclusion. The wealth of existing evidence showing the infeasibility of high density FSS and FS co-existence on a co-frequency/co-coverage basis should not be so casually disregarded.

The comments of WISPA are flawed for another reason. Like the Petition, these comments overlook the ability and plans of the satellite industry to use the V-band spectrum to support and directly deliver high-quality, low-cost broadband to underserved parts of the country.⁴ WISPA states that, among terrestrial options, the fixed wireless technology offers the “only sustainable business model” for “second mile” and “middle mile” connectivity to remote areas.⁵ But that observation presents only part of the picture. It is meaningless without consideration of satellite-delivered broadband and backhaul that, more so than any available terrestrial technology, can cost-effectively extend broadband to all corners of the country – a fact that the Commission itself has repeatedly acknowledged.⁶ The Commission should not to be

³ WISPA Comments at 3.

⁴ As SIA explained in its comments, applications seeking commercial satellite use of the V-band spectrum are pending before the Commission. See File Nos. SAT-LOI-20111220-00242 and SAT-LOA-20111223-00248.

⁵ WISPA Comments at 2.

⁶ See, e.g., *2000 Biennial Regulatory Review – Streamlining and Other Revisions of Part 25 of the Commission’s Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations*, Eighth Report and Order and Order on Reconsideration, 23 FCC Rcd 15099, 15101 (2008) (“[S]atellite facilities provide a competitive platform for delivery of broadband services, which is especially well suited for extending these services to rural and unserved areas. In other words, satellite services employ cost-effective technology to serve communities with low penetration rates, especially those in remote areas.”); *Bringing Broadband to Rural America: Report on a Rural Broadband Strategy*, Michael J. Capps, Acting Chairman, Federal Communications Commission at ¶ 78 (May 22, 2009) (“[S]atellite broadband, with its near ubiquitous coverage and downstream data rates between 512 kbps and 5 Mbps, can provide a much-needed connection in rural areas, especially where other broadband solutions are not viable for technical or other reasons.”); *Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up*, 26 FCC Rcd 4554, 4601 (2011) (“Satellite service is ideally suited for serving housing units that are the most expensive to reach via terrestrial technologies, because there is little marginal cost to add a subscriber, assuming capacity is available.”). See also Comments of the Satellite Industry Association, GN

swayed by comments in this proceeding that misleadingly suggest wireless as the only, or even preferred, broadband delivery mechanism for underserved areas.

As SIA explained more fully in its comments, the FWCC's Petition is unfounded and unnecessary. The comments filed in support of the Petition do nothing to cure the Petition's many shortcomings. For these reasons, SIA urges the Commission to reject the arguments raised in these comments and to deny the Petition.

Respectfully submitted,

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