DESCRIPTION OF APPLICATION

By the attached FCC Form 442, DTV Norwich, LLC ("DTV") seeks authorization pursuant to Part 5 of the rules and regulations of the Federal Communications Commission ("FCC" or "Commission") to test facilities in the band 3.4 - 3.7 GHz (the "3.5 GHz Band").

As the Commission is aware, DTV is the licensee of multiple stations in the Multichannel Video Distribution and Data Service ("MVDDS"), including the area covered by this request for experimental authorization. In support of DTV's upcoming provision of MVDDS service, DTV wishes to test equipment designed to provide last mile delivery of the material that it expects to transmit using MVDDS channels in the12.2-12.7 GHz band.

This request contemplates a test of equipment in the 3.5 MHz band. The 3.5 GHz spectrum is used internationally to offer WiMax services, employing the IEEE 802.16 protocol. As DTV contemplates using WiMax capabilities to its MVDDS service (as described more fully below), it wishes to evaluate the transmission and propagation characteristics of the band using links from a nodal point to a remote unit up to five miles away. Voice and data transmission over the wireless link will be tested. This test will use equipment manufactured by Alvarion, Airspan, Redline and Proxim.

While DTV recognizes that the 3.5 GHz band is not available for domestic use, and will not be available in the United States for WiMax operations, it expects that the propagation and transmission characteristics of the 3.5 GHz band will be similar to the band 3650-3700 MHz, recently designated by the FCC for fixed and mobile operations. Moreover, because the 3.5 GHz band is available for use in other countries for WiMax operations, the equipment that DTV desires to test is commercially available today. Nevertheless, DTV recognizes that no equipment may be developed in this band for use in the United States because it is designated for Federal government radiolocation operations. DTV appreciates that development must occur in a band approved for WiMax use and that the 3400-3650 MHz band is not approved for WiMax use. DTV also recognizes that it may receive interference from Federal government stations using mobile radar and is willing to accept such interference.

Pursuant to the provisions of Section 5.63 of the FCC's rules and Section 7 of the attached application, DTV provides the following information:

1. <u>The complete program of research and experimentation proposed; description of equipment and theory of operation</u>.

DTV will employ the experimental authorization to continue to assess of MVDDS service. As the Commission is aware, the MVDDS service was established to provide direct-to-home/office wireless services. While one method of providing that service might be through a point to multi-point architecture with subscriber locations acting as the ultimate receive sites, DTV wishes to

test the use of the band in another configuration. In particular, DTV wishes to test the potential use of the band for point to point transmission of wireless services from its facilities to a node location (in commercial operations, there would likely be multiple nodes). From the nodes, traffic would be carried on 3.5 GHz spectrum as contemplated by this experimental authorization. DTV has simultaneously sought the authorization it requires to operate equipment in the band 12.2 - 12.7 GHz that is not yet approved for operations in the United States.

2. Specific objectives sought to be accomplished.

The testing proposed in this application will enable DTV to design MVDDS systems that use WiMax spectrum to deliver last mile services. Doing so will allow DTV to avoid, when it introduces commercial services, disruptions to the service it will provide to its customers. The operations that DTV expects to conduct will demonstrate the viability for using WiMax spectrum to deliver traffic initiated over MVDDS spectrum.

3. How the program of experimentation has a reasonable promise of contribution to the development, extension, expansion or utilization of the radio art, or is along lines not already investigated.

The proposed program of experimental holds great promise to contribute, develop, extend and expand the proposed use of both MVDDS and 3.5 GHz spectrum. There are no commercially available systems today that seek to combine the broadband wireless of non-line of sight services such as 3.5 GHz operations with line-of-sight systems such as those contemplated by the 3.5 GHz band. By permitting DTV to test this equipment, the FCC will permit it to begin assessing the best way to serve customers.

Should there be any questions regarding the application, the FCC is asked to contact counsel for DTV, Russell Fox of Mintz, Levin at 202-434-7483 or rfox@mintz.com.