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Federal Communications Commission
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Federal Communications Commission
Bureau / Office

In Re: Application of WIRELESS STRATEGIES, INC. For Experimental
Radio Service Authorization (File No. 0051-EX-PL-2008)

Dear Mr. Burtle:

Verizon¹ and Verizon Wireless (collectively "Verizon") urge the Office of Engineering and Technology ("OET") to dismiss the application for experimental license submitted by Wireless Strategies Inc. ("Wireless strategies").² As submitted, the application is incomplete because it does not provide sufficient technical detail to allow OET or potentially affected existing or future licensees to properly assess the interference risk of the proposed tests. It should thus be dismissed. Alternatively, OET should specifically condition any subsequent license grant upon Wireless Strategies completing the pre-coordination procedures detailed in Part 101 of the FCC's rules.

Background and Introduction. Wireless Strategies is the licensee of several fixed radio service stations authorized under Part 101 of the Commission's Rules. Three of its licenses (call signs WQGH695, WQGH696, and WQGH697) were granted by the Commission on January 22, 2007, and provide Wireless Strategies with authority to deploy fixed point-to-point stations at specific locations in the State of Maryland. Now, with less than 4 months remaining to complete the construction of those authorized facilities, Wireless Strategies seeks authority to conduct experiments of certain controversial transmission concepts at the specific locations described in the licenses referenced above. Wireless Strategies also proposes that the operating parameters for the experimental facilities be the same as those specified on the Part 101 licenses referenced above.³

Verizon operates fixed stations in the 6 GHz band in the approximate vicinity of the proposed Wireless Strategies tests. Prior to receiving its Part 101 licenses for the State of Maryland, Wireless Strategies coordinated its proposed spectrum use with Verizon under the requirements of Section 101.103(d) of the Commission's Rules. It is clear, therefore, that Verizon is directly affected by operations at these sites and the tests proposed in the captioned application. In making this filing, Verizon seeks to ensure that its authorized facilities are not placed at risk of harmful interference.

¹ The Verizon companies participating in this filing are the regulated, wholly-owned subsidiaries of Verizon Communications Inc.

² Wireless Strategies Inc., "Application for New or Modified Radio Station Under Part 5 of FCC Rules – Experimental Radio Service," File No. 0051-EX-PL-2008 February 22, 2008.

³ *Id.*, at Technical Submission at 1.

Wireless Strategies also has a pending request for a declaratory ruling from the Commission's Wireless Telecommunications Bureau. That petition claims that the concepts that would be the focus of the proposed tests (*e.g.*, "Concurrent Coordination" and "Distributed Radiating Elements" ("DREs"))⁴ are consistent with existing Part 101 licensing requirements.⁵ Wireless Strategies' request raised serious concerns among a number of fixed wireless licensees and equipment suppliers that have provided the Commission with substantial documentation demonstrating that Wireless Strategies' proposals are inconsistent with the Commission's licensing and coordination rules for Fixed Services and are contrary to sound public policy.⁶ That request has been pending with the Commission for over a year.

The Commission Should Dismiss the Captioned Experimental Application. Wireless Strategies fails to offer sufficient technical information to permit evaluation of its proposed operations. The "Technical Submission" attached to the experimental application contains less than a page and a half description of how the system will work, how interference will be avoided, and how the proposal complies with FCC rules and policies. Applications for experimental authorizations are required to be "specific and complete with regard to station location, proposed equipment, power, antenna height, and operating frequency"⁷ yet the subject application offers neither a detailed system description nor any other explanation to allay serious concerns that unspecified and uncoordinated DREs will cause harmful interference. Instead, the Wireless Strategies' Technical Submission relies on terms and concepts (*e.g.*, "DREs", "smart antennas", and "interference contours") that neither the Commission nor Wireless Strategies has

⁴ *Id.*

⁵ See Wireless Strategies, Inc., Request for Declaratory Ruling on Compliance of Fixed Microwave Antennas Having Distributed Radiating Elements, WTB Docket No. 07-121 (filed Feb. 27, 2007) ("Request"); Reply Comments of Wireless Strategies Inc. to Verizon's Petition to Deny, or, Alternatively, to Impose Conditions, WTB Docket No. 07-121 (filed April 24, 2007); Reply Comments of Wireless Strategies Inc., WTB Docket No. 07-121 (filed Aug. 20, 2007).

⁶ See Verizon's Petition to Deny, or Alternatively, to Impose Conditions, WTB Docket No. 07-121 (filed Apr. 6, 2007); Verizon's Reply to Wireless Strategies' Reply Comments to Verizon's Petition to Deny or, Alternatively, to Impose Conditions, WTB Docket No. 07-121 (filed May 4, 2007); Comments of Verizon, WTB Docket No. 07-121 (filed Jul. 19, 2007); Reply Comments of Verizon, WTB Docket No. 07-121 (Aug. 20, 2007); see also Opposition of Alcatel-Lucent, WTB Docket No. 07-121 at 4 (filed July 19, 2007); Comments of Comsearch, WTB Docket No. 07-121 at 1-9 (filed July 19, 2007); Comments of David B. Popkin, WTB Docket No. 07-121 at 2-4 (filed July 19, 2007); Comments of Harris Stratex Networks, Inc., WTB Docket No. 07-121 at 5 (filed July 19, 2007); Comments of the National Spectrum Managers Association, WTB Docket No. 07-121 at 3, 8 (filed July 19, 2007); Comments of Mobile Satellite Ventures Subsidiary LLC and Terrestar Networks, Inc., WTB Docket No. 07-121 at 2 (filed July 19, 2007).

⁷ 47 C.F.R. § 5.55(c).

adequately defined for this purpose and only glosses over the well-documented interference concerns.

In particular, the application provides no information on the specific transmission facilities that would be activated under the proposed experiment. Assuming that the tests will be conducted in a manner consistent with its previous written descriptions, Wireless Strategies does not identify: 1) the specific location of each transmitting DRE; 2) the amount of radiated power that each DRE would transmit; 3) the operating height of each DRE; 4) the azimuth and distance of each point-to-point path created by a DRE; and 5) a full description of the antenna pattern. Reliance on the interference coordination underlying Wireless Strategies' Part 101 authorized facilities is not sufficient to ensure interference protection to affected licensees for its proposed experimental tests. There is no technical information or documentation included in the experimental application to justify Wireless Strategies' assertion that the radiation pattern of DREs would be wholly contained within the pattern authorized under the Part 101 licenses.

Wireless Strategies claims – without producing any evidence – that it already "has all the information necessary to ensure that the interference received at any existing or proposed victim receiver input from any DRE (I_{DRE}) will always be less than the interference received at any existing or proposed victim receiver input from the Smart Antenna System (I)." ⁸ Wireless Strategies asserts that, before it activates a DRE, it will conduct a "study" to determine that the DRE will not cause harmful interference to existing and proposed licensees. ⁹ But Wireless Strategies fails to detail how such a "study" will be conducted, what the "study" will measure, and how such a "study" is an adequate alternative to the Commission's well-established bilateral coordination process. In the end, Wireless Strategies' proposal requires the Commission and existing and future licensees to place complete faith in Wireless Strategies' ability to 'accurately and honestly ensure that its DREs do not cause harmful interference. This is contrary to established interference prevention processes and the public interest.

Accordingly, Verizon urges the Commission to dismiss Wireless Strategies' experimental application as incomplete and defective. Alternatively, OET should specifically condition any resulting experimental authorization on compliance with the Commission's prior coordination rules in Part 101.103. ¹⁰ Prior coordination is a critical part of fixed microwave licensing. As Verizon explained in related Wireless Strategies proceedings, ¹¹ coordination is a **bilateral** process in which the proponent and existing or previously authorized users share data according to Part 101.103 of the Commission rules in order to

⁸ Technical Submission at 1.

⁹ *Id.*

¹⁰ 47 C.F.R. § 101.103(d).

¹¹ *See* Verizon's Petition to Deny, or Alternatively, to Impose Conditions, WTB Docket No. 07-121 at 5-6 (filed Apr. 6, 2007); Comments of Verizon, WTB Docket No. 07-121 at 4-6 (filed Jul 19, 2007); Reply Comments of Verizon, WTB Docket No. 07-121 at 3-4 (Aug. 20, 2007).

avoid harmful **interference**.¹² Successful coordination requires that an applicant's particular operating parameters be distributed to all potentially affected parties, so that each potentially affected party can determine whether the proposed use will cause interference. Wireless Strategies' proposed experimental operations conflict with this process because potentially affected parties will not be sufficiently alerted to the potential for interference from unspecified and uncoordinated DREs.¹³

For the foregoing reasons, Verizon strongly urges the Commission to reject Wireless Strategies' experimental application. Alternatively, the Commission should specifically condition any subsequent license grant on Wireless Strategies' strict compliance with the Commission's prior coordination rules in Part 101.103.

Respectfully submitted,

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The Commission's experimental service rules provide that “[w]hen transmitting, the [experimental] licensee must use *every precaution* to ensure that the radio frequency emitted will not cause harmful interference . . .” 47 C.F.R. § 5.111(a)(2) (emphasis added). Clearly, bilateral prior coordination – which is already an integral component to interference prevention in the Fixed Service bands – qualifies as a “precaution” that Wireless Strategies must follow if it wants to conduct experiments relating to fixed microwave services.

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In previous filings, Verizon has pointed out that Wireless Strategies' assertion that DREs can provide additional communications paths *under the umbrella of primary coordinated facilities* and not be fully defined in the station's license directly conflicts with the Commission's Fixed Service licensing and coordination requirements. See Comments of Verizon, WTB Docket No. 07-121 at 2-5 (filed Jul 19, 2007); Reply Comments of Verizon, WTB Docket No. 07-121 at 2-6 (Aug. 20, 2007).

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