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June 2, 2008

James R. **Burt**le, Chief
Experimental Licensing Branch
Office of Engineering and Technology
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Wireless Strategies Inc. Experimental License Application 0051-EX-PL-2008

Dear Mr. Burtle:

As you **are** aware, Wireless Strategies Inc. ("**WSI**") has agreed to notify **AT&T** Inc. ("**AT&T**") of the location of its Distributed Radiating Elements (DREs) before operation.¹ **AT&T** agrees that **WSI** must provide prior notification, but **AT&T** also requests that **WSI**'s experimental authority be **further** conditioned on **full** compliance with the fixed microwave bilateral prior coordination requirements of Section 101.103(d) of the Commission's **rules**.² Specifically, **AT&T** requests that **WSI** be required to notify all potentially affected **fixed** wireless licensees prior to operation, not just **AT&T** and Verizon, and that **WSI** be required to allow thirty days for responses from potentially affected licensees.

On May 14, 2008, **WSI** agreed to condition its experimental license on a requirement to notify both **AT&T** and Verizon of the location of its DREs accompanied by a "coordination study of the **DRE** showing the coordinator's opinion that the DRE could have no impact on Verizon and **AT&T** and the coordinator's opinion that no response is **required**."³ **WSI** stated that it would be **fully** complying with Section 101.103(d) of the Commission's **rules** because the operation of a new **DRE** falls under Section 101.103(d)(2)(ix), requiring only notice and a coordinator's opinion that no response is **required**.⁴

Section 101.103(d)(2)(ix) only applies when very minor changes to coordination have been made, for example, the name of a site or other changes that "**could have no impact**" on

¹ Letter to James R. Burtle, Chief, Experimental Licensing Branch, **Office** of Engineering and Technology, Federal Communications Commission from Michael Mulcay, Chairman, Wireless Strategies **Inc.**, Wireless Strategies **Inc.** Experimental Application File No. 0051-EX-PL-2008 (filed May 14, 2008) ("May 14, 2008 Letter").

² 47 C.F.R. §101.103(d).

³ May 14, 2008 Letter.

⁴ **See** May 14, 2008 Letter.

the parties receiving notification.' Here, WSI proposes to operate new transmitters. The operation of a new transmitter could clearly affect **AT&T's** and other licensees' fixed microwave systems. Therefore, as **AT&T** has argued **before**,⁶ WSI should be held to the bilateral prior coordination requirements of Section **101.103(d)** of the Commission's rules. **WSI** should be required not only to provide prior notification supported by an engineering study, but also to allow thirty days for a **response**.⁷ Requiring WSI to provide both notification and the opportunity to respond will give **AT&T** and other parties the ability to use recognized interference analysis tools to consider the effects of **WSI's** proposed tests. Further, **WSI** should be required to provide notification and the opportunity to respond to all potentially affected fixed wireless licensees, not just **Verizon** and **AT&T**, as all licensees could be affected by interference when WSI operates new **DREs**.⁸

Sincerely,



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cc: Wireless Strategies, Inc.
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Fixed Wireless Communications Coalition

⁵ See 47 C.F.R. § 101.103(d)(2)(ix).

⁶ See **AT&T** Reply to Opposition to Informal Objection to Experimental License Application 0051-EX-PL-2008 (filed Apr. 21, 2008).

⁷ See 47 C.F.R. § 101.103(d)(iv) (Providing that a 30-day period should be allowed for a response to prior notification).

⁸ See 47 C.F.R. § 101.103(d)(1) (Generally requiring prior coordination with all existing licensees, **permitees** and applicants in the area, and other applicants with previously filed applications, whose facilities could be affected by the new proposal in terms of interference).

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