

ANN BAVENDER\*  
KAREN L. CASSER\*  
ANNE GOODWIN CRUMP\*  
VINCENT J. CURTIS, JR.  
RICHARD J. ESTEVEZ  
PAUL J. FELDMAN\*  
ERIC FISHMAN\*  
RICHARD HILDRETH  
FRANK R. IAZZO  
ANDREW S. KERSTING\*  
KATHRYN J. KLEIMAN  
EUGENE M. LAWSON, JR.  
HARRY C. MARTIN  
GEORGE PETRUTSAS  
LEONARD R. RAISH  
JAMES P. RILEY  
KATHLEEN VICTORY\*  
HOWARD H. WEISS

\* NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET  
ROSSLYN, VIRGINIA 22209-3801

(703) 812-0400

TELECOPIER

(703) 812-0486

INTERNET

FLETCHERHEALD@msn.com

FRANK U. FLETCHER  
(1939-1985)  
ROBERT L. HEALD  
(1956-1983)  
PAUL D.P. SPEARMAN  
(1936-1982)  
FRANK ROBERSON  
(1936-1981)  
RUSSELL ROWELL  
(1948-1977)

RETIRED  
EDWARD F. KENEHAN

CONSULTANT FOR INTERNATIONAL AND  
INTERGOVERNMENTAL AFFAIRS

SHELDON J. KRYS  
U. S. AMBASSADOR (ret.)

RECEIVED

OF COUNSEL  
EDWARD A. CAINE\*

WRITER'S NUMBER  
(703) 812-

JUN 21 1996 0480

June 21, 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: RM No. 8811

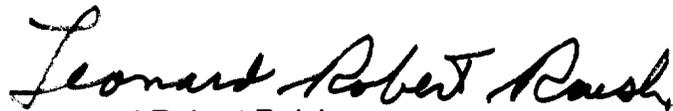
Dear Mr. Caton:

On behalf of the Harris Corporation - Farinon Division ("Harris-Farinon"), we are filing an original and four (4) copies of its Opposition to Petition for Rulemaking in the above-referenced proceeding.

If there are any questions, do not hesitate to contact the undersigned.

Respectfully submitted,

FLETCHER, HEALD & HILDRETH, P.L.C.



Leonard Robert Raish  
Counsel for Harris Corporation -  
Farinon Division

LRR:cej  
Enclosures

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## **II. DEMAND FOR TERRESTRIAL FIXED SERVICES DICTATES NEED FOR ADEQUATE SPECTRUM ALLOCATIONS**

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The Petition for Rulemaking in the above-cited proceeding filed by Motorola Satellite Communications Inc. ("Motorola") should be considered in the context of the Commission's Notice of Proposed Rulemaking in ET Docket No. 95-183 (In the matter of "Amendment of the Commission's Rules Regarding the 37.0 - 38.6 MHz and 38.6 - 40 GHz bands"). In its proposed Rules for the 37 GHz band, the Commission intends to make that band,

available for point-to-point microwave operations that would provide communications infrastructure such as "backhaul" and "backbone" communications links for services including broadband personal communications services (broadband PCS), cellular radio and other commercial and private mobile radio operations.<sup>1</sup>

In the view of Harris, the Commission is correct in its intentions. Emerging wireless telecommunications, especially PCS, will rely upon FS users for spectrum to provide services and FS facilities to support their operations. The demand for FS communications is increasing but the available spectrum does not. The 37 GHz band will provide an essential spectrum resource to FS users and helps to offset spectrum lost in lower bands. These FS users need protection.

## **III. TIA COMMENTS SUPPORTED**

In its Opposition to the Motorola Petition, TIA stresses there is no substantial evidence on the record that co-channel sharing between FSS and FS systems is feasible. Further, TIA points out the provisions in the ITU Radio Regulations cited by

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<sup>1</sup>NPRM in ET Docket No. 95-183 at para. 1.

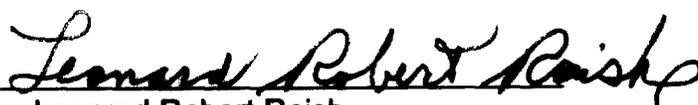
Motorola are interim in nature until acted upon by a World Radio Conference. TIA also raises other points that strongly support its Opposition to the Motorola Petition. Harris participated in a substantive manner in the preparation of the TIA Opposition comments being filed separately in this proceeding. Harris, therefore, strongly supports those separate Opposition comments.

#### **IV. CONCLUSION**

Noting the foregoing, the Commission is urged to deny the Motorola Petition for Rulemaking in the above cited proceeding.

Respectfully submitted

THE HARRIS CORPORATION - FARINON DIVISION

By:   
Leonard Robert Raish  
Eric Fishman

Its Attorneys  
Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17th Street  
11th Floor  
Rosslyn, Virginia 22209  
(703) 812-0400

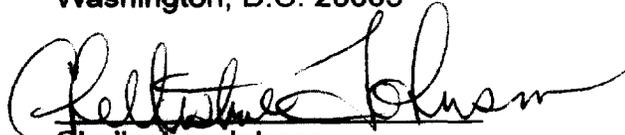
Date: June 21, 1996

**CERTIFICATE OF SERVICE**

I, Chellestine Johnson, hereby certify that a copy of the foregoing Opposition to Petition for Rulemaking was sent this 21st day of June, 1996, via first class United States mail, postage prepaid, to the following:

Philip L. Malet, Esq.  
Alfred Mamlet, Esq.  
Pantelis Michalopoulos, Esq.  
Pamela S. Strauss, Esq.  
Steptoe & Johnson LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036

Michael D. Kennedy  
Vice President and Director  
Regulatory Relations  
Barry Lambergman, Esq.  
Manager, Satellite Regulatory Affairs  
Motorola, Inc.  
1350 I Street, N.W.  
Suite 400  
Washington, D.C. 20005

  
Chellestine Johnson