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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)	
)	
Amendment of the Commission's)	ET Docket No. 95-183
Rules Regarding the 37.0-38.6 GHz and)	RM-8553
38.6-40.0 GHz Bands)	
)	
Implementation of Section 309(j) of)	PP Docket No. 93-253
the Communications Act -- Competitive)	
Bidding, 37.0-38.6 GHz and)	
38.6-40.0 GHz)	

To: The Commission

COMMENTS

In November 1997, the Federal Communications Commission (the "Commission") amended the rules for the terrestrial fixed point-to-point microwave radio service ("FS") in the 38.6-40.0 GHz band ("39 GHz Band") and it adopted new rules for the FS in the 37.0-38.6 GHz band ("37 GHz Band").¹ In March 1998, several parties filed Petitions for Reconsideration and/or Clarification of the Order.

Alcatel Network Systems, Inc. ("Alcatel"), Digital Microwave Corporation ("DMC"), and Harris Corporation-Farion Division ("Harris")² (hereinafter "the Commenters") hereby oppose the Petition for Reconsideration ("TRW Petition") filed

¹Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands, Report and Order and Second Notice of Proposed Rulemaking, 12 FCC Rcd 18600 (1997) ("Order").

²Alcatel, DMC, and Harris are all major manufacturers of FS equipment.

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by TRW, Inc. ("TRW") in the captioned proceeding.

TRW, in its Petition, asks the Commission to clarify that licenses issued to FS providers in the 39 GHz Band should not be exclusive.³ In that same vein, TRW urges that FS users should be expected to coordinate their use with satellite systems in order to facilitate spectrum sharing.⁴ The Commenters strongly disagree.

The Commission itself pointed out, in its Order, that "there is wide support for the premise that the types of fixed and satellite services likely to be offered in spectrum above 36 GHz will not be able to share the same spectrum blocks."⁵ The FS industry was not the only one supporting this stance. Several satellite companies also conceded that sharing in these bands is not feasible.⁶ In fact, even TRW recognized that they could not share with high density fixed systems,⁷ which are precisely those destined to operate in these millimetric frequency bands.

However, in its Petition, TRW now accuses the Commission of misconstruing its comments.⁸ This is a convenient argument for TRW. It would benefit from spectrum sharing in the 39 GHz Band because the only alternative is to lose it

³TRW Petition at 8.

⁴Id.

⁵Order, 12 FCC Rcd at 18608.

⁶See IB Docket No. 97-95; Hughes Reply Comments at 20; Motorola Reply Comments at 14; Lockheed Martin Comments at 15; Teledesic Comments at 4-5; GE Americom Comments at 6-7.

⁷See IB Docket No. 97-95; TRW Reply Comments at 5.

⁸TRW Petition at 8.

completely. TRW should not be allowed to undermine the Commission's reasoned approach to designating uses of spectrum above 36 GHz in this manner.

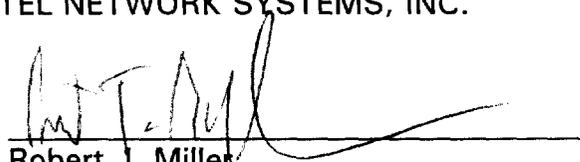
CONCLUSION

For all the foregoing reasons, the Commenters urge the Commission to deny the Petition for Reconsideration filed by TRW in accordance with the comments provided herein.

Respectfully submitted,

ALCATEL NETWORK SYSTEMS, INC.

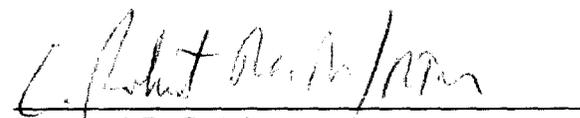
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April 3, 1998

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "Comments" will be mailed via first class mail on the 6th day of April, 1998, to:

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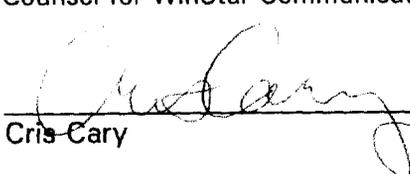
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