

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendment of Part 2 of the Commission's	)	ET Docket No. 00-258
Rules to Allocate Spectrum Below 3 GHz for	)	
Mobile and Fixed Services to Support the	)	
Introduction of New Advanced Wireless	)	
Services, including Third Generation Wireless	)	
Systems	)	
	)	ET Docket No. 95-18
Amendment of Section 2.106 of the	)	
Commission's Rules to Allocate Spectrum at 2	)	
GHz for Use By the Mobile-Satellite Service	)	
	)	IB Docket No. 99-81
The Establishment of Policies and Service	)	
Rules for the Mobile-Satellite Service in the 2	)	
GHz Band	)	RM-9498
	)	
Petition for Rule Making of the Wireless	)	
Information Networks Forum Concerning the	)	
Unlicensed Personal Communications Service	)	RM-10024
	)	
Petition for Rule Making of UTStarcom, Inc.,	)	
Concerning the Unlicensed Personal	)	
Communications Service	)	

**COMMENTS OF QUALCOMM INCORPORATED**

QUALCOMM Incorporated hereby submits these comments in response to the Commission's *Memorandum Opinion and Order and Further Notice of Proposed Rulemaking (MO&O and FNPRM)*, ET Docket No. 00-258 (released August 20, 2001). QUALCOMM's comments will focus on the spectrum pairing options the Commission has proposed for the bands under consideration for advanced wireless services, including third generation (3G).

As mentioned in its initial comments in response to the Commission's NPRM in this proceeding, QUALCOMM commends the Commission for its leadership and sound spectrum management policies that permit licensees freedom to determine the services to be offered and the technologies to be used, while also promoting the most efficient use of assigned frequencies in response to market demands. QUALCOMM believes that the FCC's application of these policies to advanced wireless services has resulted in the United States being among the first countries in the world to offer commercial 3G services in frequency assignments in the 800 MHz cellular and 1900 MHz PCS bands.

As the Commission considers new allocation options to support the future growth of advanced wireless, QUALCOMM believes that the following factors should be taken into account: 1) technical feasibility of the pairing arrangement in terms of developing equipment for the band, 2) timing of availability of the spectrum, and 3) opportunities for regional and global harmonization. Based on its assessment of the pairing options proposed by the Commission and a review of the three factors listed above, QUALCOMM supports the Commission's proposal to pair 1710-1770 with 2110-2170 MHz, and to make these frequencies (or portions thereof) available as market demand for advanced wireless services increases and as existing spectrum assignments are saturated. Of the options proposed, QUALCOMM believes that this pairing option best meets the needs of industry, while also recognizing the difficulties of relocating existing users.

QUALCOMM considers the pairing arrangement of 1710-1770/2110-2170 MHz to be feasible from a technical perspective, in that it is possible to develop mobile wireless equipment based on advanced wireless technologies, such as 3G, which can operate in these bands within a

reasonable period of time. Moreover, as opposed to the options that pair spectrum within the 1710-1850 band, the 1710-1770/2110-2170 MHz option will not require significant guardbands to protect existing advanced wireless services operating in the PCS frequencies, starting at 1850 MHz.

QUALCOMM also believes that the 1710-1770/2110-2170 MHz option is the superior to other proposals under consideration given the timing of availability of the majority of these frequencies. Other options, such as the internal 1710-1850 MHz pairing, will take a significant amount of time to made available, if it is at all possible, due to incumbent uses of the spectrum. While the 1755-1770 MHz and 2150-2160/2165-2170 MHz bands may not be available in the near term due to incumbent uses of the bands, this pairing option nevertheless offers an additional 2x40 MHz (1710-1750/2110-2150 MHz) within the next few years to support the anticipated growth of advanced wireless services, such as 3G. If market demand for these services continues to grow, the Commission has the flexibility to make additional spectrum available on an incremental basis as it addresses the relocation issues associated with the upper parts of the bands.

In addition, QUALCOMM notes that the 1710-1770/2110-2170 MHz option provides some commonality with bands used for advanced wireless services in other countries around the world. Many countries are considering the use of the 2110-2170 MHz as a downlink for 3G services. By making this band available in the United States for advanced wireless services, there may be opportunities to develop multi-band terminals that can take advantage of a common downlink frequency. Moreover, the 1710-1770/2110-2170 MHz option is also one that can be utilized in its entirety by many of the countries in the Americas, offering regional roaming using a single frequency arrangement, or in conjunction with cellular and PCS frequency arrangements

also used throughout the region.

In summary, QUALCOMM appreciates the Commission's efforts to support the growth of advanced wireless services in the United States. QUALCOMM also recognizes the important role that the Commission has played by allowing existing cellular and PCS operators to offer advanced wireless services, such as 3G, in their current frequency allocations. As a result of the Commission's policies, these U.S. operators are providing 3G services to consumers *today*, well ahead of operators in countries that do not provide this flexibility.

QUALCOMM also supports the Commission's efforts to meet the anticipated demand for advanced wireless services by making additional spectrum available in a timely and practical manner, while ensuring efficient use of a scarce resource, such as suitable spectrum for mobile wireless services. Therefore, QUALCOMM supports the Commission's proposal to pair 1710-1770 with 2110-2170 MHz, and to make these additional frequencies available in the future once market demand increases and existing frequency allocations are saturated.

Respectfully submitted,

**QUALCOMM Incorporated**

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