

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Terrestrial MSS Operations for the)	IB Docket No. 01-185
Mobile Satellite Service)	
)	ET Docket No. 95-18
)	
)	

To: The Commission

Reply Comments of The Walt Disney Company

The Walt Disney Company, on behalf of its subsidiary American Broadcasting Companies, Inc. ("ABC"), in these Reply Comments addresses issues raised in this proceeding¹ which will impact the continued critical use by ABC of the spectrum in the 2450-2500 MHz range for coverage of breaking news and sporting events.² ABC continues to rely upon the spectrum in this range pursuant to grandfathered licenses, and the continued protection of this usage is essential to its operations in and around, *inter alia*, New York City. We note that continued coordination of 2 GHz BAS channels along the northern border of the United States based upon typical uses of these channels, which include high receiving antennas and air-borne helicopter mobile transmissions, is needed to ensure the compatibility of operations on both sides of the Canadian border.

¹ *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Band; Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile Satellite Service*, Notice of Proposed Rulemaking, IB Docket No. 01-185, ET Docket No. 95-18 (FCC 01-225 released August 17, 2001).

² The Walt Disney Company and other broadcasters in the 2 GHz Broadcast Group filed reply comments covering issues of mutual interest in ET Docket No. 00-258 and this proceeding on November 8, 2001.

I. Grandfathered Terrestrial Operations in the 2450-2500 MHz Band

In its Comments, the Society of Broadcast Engineers, Incorporated ("SBE") replies to the Commission's request for comment concerning potential terrestrial operation by satellite licensees proposed for the 2483.5-2500 MHz band.³ This band currently is allocated for satellite space-to-earth operations. SBE correctly notes that this spectrum formerly was used for BAS ENG operations, and remains in use by broadcasters for electronic newsgathering ("ENG") and other TV Pickup purposes as authorized by licenses that were grandfathered on a primary basis when the Commission re-allocated this spectrum from BAS to satellite purposes.⁴

The significant potential for adjacent channel and co-channel harmful interference to ABC and other broadcasters' operations that would be created by any authorization of new terrestrial operations in this band must be considered by the Commission. ABC holds four licenses to operate on a primary basis in the 2450-2500 MHz band, and another in the 2450-2483.5 MHz band.⁵ When satellite services were allocated to this band on a primary basis with the grandfathered BAS licensees, the Commission required satellite services to pay "the reasonable and prudent cost of modifying an existing

³ Comments of the Society of Broadcast Engineers at ¶ 25 (dated October 19, 2001).

⁴ *See Amendment of the Commission's Rules to Allocate Spectrum for, and to Establish other Rules and Policies Pertaining to, a Radiodetermination Satellite Service, Gen. Docket No. 84-689; Policies and Procedures for the Licensing of Space and Earth Stations in the Radiodetermination Satellite Service, Gen. Docket No. 84-690, Report and Order, 58 R.R.2d 1416 at ¶¶ 13-21 (released Sept. 13, 1985).*

⁵ ABC's licenses include call signs KA41459, KA41481, KA4431, KK5793 and WPNF933. Together, these licenses authorize operation over the entire 2450-2500 MHz band for broadcast pickup services, and often are used jointly for television ENG purposes, including from helicopters, to bring the public live pictures of major news and sporting events in the New York City area. We further note that, subject to coordination and other requirements of Section 74.24 of the Commission's Rules, these licenses can be (and are) used anywhere in the United States.

licensee's operation" in the event that "interference from these grandfathered mobiles is determined to be unacceptable."⁶ To date this relocation has not occurred. Because ABC frequently is required to use the entire bandwidth of 2450-2500 MHz simultaneously as relay frequencies in televising major network events, relocation would require a similar 50 MHz contiguous bandwidth so that it could continue to be able to broadcast such events or a complete conversion of the 2450-2483.5 MHz band to digital channels and equipment capable of carrying the program material in digital format.

II. Acceptable Replacement Facilities are Especially in Short Supply Along the Northern Border

We note that relocation of ABC's operations will be extremely difficult along the northern border. In order to facilitate analysis of border operations, we are compelled to note that we have had great difficulty in attempting to obtain Special Temporary Authority ("STA") to use digital 2 GHz equipment; and also authority to modify our station's existing 2 GHz Channels 1 and 6 licenses to specify additional channels to assist in the digital transition in the Toledo, Ohio market (which, while Toledo is only market 66, it is adjacent to and inter-related with Detroit, which is market 9, and both are directly across the border from Canada). In order for our primary fixed receiver to pick up the 2 GHz ENG mobile signals, the antenna is located approximately 1000 feet above ground. This receive antenna height is absolutely necessary to cover the area of operation, but makes protection difficult.⁷ The current ULS electronic filing system however does not have provision to list this actual height. When considering the technical requirements

⁶ *Supra* note 4 at ¶ 19.

⁷ We note that the height of the steerable receiving antenna is critical to successful reception of the mobile ENG signals, which originate from wherever the news or sports event occurs. The location of many such
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necessary to minimize adjacent and co-channel interference to our BAS operations on these channels, it is of critical importance that the parties and the Commission base their analysis upon typical receive antenna heights and gains for these frequencies.⁸

III. Conclusion

ABC makes critical use of the 2450-2500 MHz band in New York City and elsewhere to cover breaking news and sporting events. Any new authorizations on or adjacent to this spectrum will require measures to provide protection against harmful interference or, alternatively, relocation. We also note that along the Canadian border coordination requires consideration of realistic operating characteristics.

Respectfully submitted,

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events is unpredictable. In addition, some signals originate from helicopters to provide real-time information to the public.

⁸ This issue is discussed by SBE in its Comments filed in ET Docket 01-75 (dated July 9, 2001).