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March 26, 2002

VIA ELECTRONIC FILING

Mr. William F. Caton
Acting Secretary
Office of the Secretary
Federal Communications Commission
Room TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

Re: RM-10371 - Petition for Rulemaking of the Wireless Ethernet Compatibility Alliance To Permit Unlicensed National Information Infrastructure Devices to Operate in the 5.470-5.725 GHz Band

Dear Mr. Caton:

This letter is submitted on behalf of Ericsson Inc (“Ericsson”). Ericsson supports the Petition for Rulemaking of the Wireless Ethernet Compatibility Alliance To Permit Unlicensed National Information Infrastructure Devices to Operate in the 5.470-5.725 GHz Band filed by the Wireless Ethernet Compatibility Alliance (“WECA”) seeking a Federal Communications Commission (“Commission”) Notice of Proposed Rulemaking (“NPRM”) to amend Part 15 of the rules and allow for use of the 5.470-5.725 GHz band by Radio Local Area Networks (“RLANs”) and other unlicensed devices. Ericsson respectfully requests that the Commission act quickly to issue a Notice of Proposed Rulemaking in response to this petition.

Ericsson designs, produces and deploys wireless network and terminal equipment globally, that is integral to successful global communications. Ericsson believes that the foregoing petition for rulemaking is consistent with the Commission’s commitment to flexible uses of spectrum and is an important step toward making available additional spectrum in frequency bands appropriate for the provision of advanced wireless services. The extended frequency allocation proposed for RLANs will allow the Commission to timely respond to and plan for future spectrum needs for the resource intensive RLAN applications that will form an important part of this country’s broadband infrastructure. In addition, Ericsson believes that WECA is advancing an important initiative for residential, office and public use for RLANs, to which the Commission should be responsive.

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Further, Ericsson supports extension of the U-NII rules to the 5.470-5.725 GHz band because this will facilitate global harmonization of this spectrum. The spectrum already allocated in the United States for 5 GHz unlicensed devices is aligned with spectrum allocated for HIPERLAN systems in Europe. Europe has already extended this use to the bands 5.470-5.725 GHz. Moreover, a co-primary allocation for RLANs in these bands, provided mitigation techniques are implemented to protect other primary services, will allow the added benefits of global harmonization including economies of scale, interoperability among carriers, global standardization of equipment and seamless roaming across national borders to be achieved in this band and for these services.

Lastly, Ericsson encourages the Commission to explore use of the identified bands for indoor use only, as appropriate. Ericsson also supports H2GF's study for spectrum need of 540 MHz.

Based on the foregoing, Ericsson respectfully requests that the Commission act expeditiously to issue a Notice of Proposed Rulemaking ("NPRM") to extend current U-NII rules to the 5.470-5.725 GHz band, thus permitting the use of RLANs and other unlicensed devices in this spectrum.

Sincerely,

**BIRCH HORTON BITTNER
& CHEROT**

Allison M. Ellis
On behalf of Ericsson Inc