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

In the Matter of	)	
	)	
The FCC Seeks Public Comment on NTIA's Report "An Assessment of the Viability of Accommodating Advanced Mobile Wireless (3G) Systems in the 1710-1770 MHz and 2110-2170 MHz Bands"	)	ET Docket No. 00-258

COMMENTS OF ERICSSON INC

Ericsson Inc ("Ericsson") hereby submits comments in response to the Federal Communications Commission's ("Commission") Public Notice issued July 24, 2002 (DA-02-1780), seeking comment on the National Telecommunications and Information Administration's ("NTIA") Report "An Assessment of the Viability of Accommodating Advanced Mobile Wireless (3G) Systems in the 1710-1770 MHz and 2110-2170 MHz Bands" (the "Report"). Ericsson appreciates the hard work of the Department of Defense ("DOD"), NTIA, the Commission, and other federal government agencies in identifying and assessing spectrum available for 3G use.

I. Introduction

The spectrum and pairings proposed in the Report are consistent with the initial pairings identified and proposed for transition to commercial use by Ericsson nearly two years ago. The proposal is a welcome first step toward making available a sufficient amount of spectrum that is capable of supporting advanced wireless technologies. However, the amount of spectrum identified in the Report falls short of the requirements

for projected current and future demand. Therefore, it is important that NTIA, the Commission, and DOD capitalize on their forward momentum by identifying additional spectrum for 3G, starting with spectrum at 1755-1770 MHz and pairing this spectrum with 2155-2170 MHz. Spectrum at 2155-2170 MHz should be reserved for 3G until 1755-1770 MHz can be made available. Further, the identification of additional 3G spectrum should be performed in an expeditious manner to ensure that the U.S. remains a competitive leader in advanced wireless technologies and that these new services supporting global roaming are available to consumers. This process should not impede the availability of the 1710-1755 MHz paired with 2110-2155 MHz spectrum.

Moreover, the process of making the identified spectrum available for 3G use must be completed expeditiously. The Commission must proceed to allocate the spectrum identified, promulgate service rules, and establish an auction date and auction procedures. In addition, the Commission must accomplish the foregoing in a timely manner to ensure that there is sufficient regulatory certainty for Industry to invest in and deploy 3G systems.

II. The Process Must Be Completed

Identification of appropriate spectrum for 3G is the first step in making this spectrum available to Industry for 3G technologies and systems. Equally important are the subsequent steps in the process, which include allocating the spectrum, developing service rules, and auctioning the spectrum. The Commission must endeavor to complete these steps in a timely manner to ensure that investment and deployment of 3G systems can be accomplished.

In allocating the spectrum identified in the Report, the Commission ensures that the 45 MHz is contiguous in the 2210-2170 MHz band. Contiguous spectrum is necessary to minimize the need for guard bands and thereby increase spectrum efficiency.

In addition, the Commission must allocate appropriate pairings of the spectrum in order to maximize the opportunity for Industry to achieve global harmonization, economies of scale, global roaming, and vigorous competition. Ericsson recommends the pairing of 45 MHz of contiguous spectrum in the band 1710-1755 MHz with 45 MHz of contiguous spectrum in the band 2110-2155 MHz. Specifically, Ericsson suggests that the initial 45 MHz pairing within 2110-2170 MHz be at 2110-2155 MHz. This pairing is conducive to harmonization and lowered equipment costs. Therefore, current users in the 1710-1755 MHz band should be relocated in an expeditious manner, following the auction and licensing of this band, to coincide with the need for spectrum for advanced wireless technologies.

In addition to appropriate allocations, service rules for the identified spectrum must be promulgated. Industry must have access to clear technical, service, and regulatory parameters in order to implement successful 3G solutions. To complete the deployment of 3G technologies and make advanced services available to consumers, Industry must be advised of these parameters sooner rather than later. Further, sharing criteria and dispute resolution procedures must be clearly defined to fully advise carriers of all of the terms and conditions of this spectrum's clearing and secondary use. Accordingly, Ericsson encourages the Commission to create service rules in a timely manner (*i.e.* near term).

Because the development and deployment of new technologies is an extremely capital intensive endeavor, the Commission must also articulate an auction framework in the near term. Industry must be advised of auction dates and procedures as it begins to plan 3G systems. In addition, it is important that auctions be structured so that they do not impede the development of the market. Industry must be able to plan future investment and sustain that investment as well as retain sufficient capital so that the spectrum can be fully developed. Ericsson urges the Commission to act aggressively to complete these actions so that the availability of this spectrum can be expedited and the advanced services made possible by 3G can be brought to consumers.

III. The FCC Must Make Further Allocations

In order for 3G services to fulfill market expectations and be deployed to their full potential, the FCC must make available sufficient spectrum to support market demands. The initial 90 MHz is simply not enough and falls significantly short of the amount of spectrum needed for 3G.[1] Further allocations of spectrum must be completed to ensure sufficient spectrum for the Industry to fully support the projected market demand for 3G services.

As noted above, a decision on the pairing of 1755-1770 MHz with 2155-2170 MHz is needed in a relatively short time frame to address the market demand and to create the necessary regulatory environment to encourage investments. NTIA, DOD, and the Commission must take the necessary steps to make 1755-1770 MHz available before the year 2010 by considering the possibilities of sharing and relocating incumbent

[1] Industry participants agree that at least 120 MHz to 240 MHz of spectrum is needed to meet future needs for commercial 3G services. NTIA Report at 5.

users where applicable. Based on the initial pairing identified by NTIA, Ericsson believes that 15 MHz at 1755-1770 MHz paired with 2155-2170 MHz is the best option for additional 3G spectrum. This spectrum will provide further contiguous allocations and pairings and will maximize the opportunity for global harmonization and economies of scale.

The Commission, NTIA, DOD, and other federal government agencies must begin the process of identifying and clearing additional spectrum now. As past experience has indicated, this process is extremely long and involved. Indeed, the process that led to the Report began as early as 1992, and has proceeded in earnest since 1999.

If further allocations take a decade or more, U.S. companies will lose the opportunity to remain competitive both within the U.S. and on a global scale. U.S. 3G allocation efforts must keep pace with global processes and efforts that are nearly a decade ahead of the U.S. in terms of identifying and making suitable 3G spectrum available. Indeed, international bodies are already anticipating future 3G spectrum needs and are already planning additional allocations to be decided at the 2006 World Radiocommunication Conference. As a result, the Commission, NTIA, DOD and other federal government agencies must affirmatively continue the process of providing sufficient spectrum for 3G technologies and systems.

IV. Conclusion

The 90 MHz identified by DOD, NTIA, the Commission, and other federal government agencies, at 1710-1755 MHz and 2110-2155 MHz, for 3G use is a positive first step toward making the required amount of 3G spectrum available. However,

additional spectrum is required to address the projected market demands. Ericsson urges the Commission to allocate, develop service rules, and establish auction procedures for this spectrum in the near term to expedite its availability. Further, Ericsson encourages the identification of an additional 15 MHz of spectrum at 1755-1770 MHz to be made available at the same time and on the same terms as the 90 MHz identified in the Report. Further, spectrum at 2155-2170 MHz should be reserved in anticipation of its pairing with the identified spectrum 1755-1770 MHz. These foregoing actions will provide the greatest opportunity for global harmonization, economies of scale, global roaming, and ubiquity of competitive services and will ensure that spectrum allocations keep pace with projected spectrum need.

DATED this 8th day of August, 2002.

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