

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED

NOV 14 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Proposal to Revise Multichannel Multipoint) RM-10586
Distribution Service and the Instructional)
Television Fixed Service Rules)
)

**COMMENTS
OF THE
NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION**

The National Telecommunications Cooperative Association (NTCA) hereby submits its comments in the above-referenced proceeding. NTCA is the premier industry association representing rural telecommunications providers. Established in 1954 by eight rural telephone companies, today NTCA represents more than 555 rural rate-of-return regulated incumbent local exchange carriers (ILECs). Each member is a "rural telephone company" as defined in the Communications Act of 1934, as amended (Act). All of NTCA's members are dedicated to providing competitive modern telecommunications services and ensuring the economic future of their rural communities. All of its members are full service local exchange carriers, and many members also provide wireless, cable, Internet, satellite and long distance services to their communities. Several NTCA members currently hold and use MMDS licenses.

NTCA generally supports the goals of the proposal submitted by the Wireless Communications Association International, Inc., the National ITFS Association and the Catholic Television Network. Increased flexibility and reduced regulatory burdens will greatly enhance the future utilization of this valuable spectrum.

Wireless broadband technology is developing at a rapid pace and it is virtually impossible for regulation to keep up. Current MMDS interference analysis, license modification and site-by-site license requirements are outdated and burdensome. These requirements were developed at a time when it was anticipated that MMDS licenses would provide an alternative wireless cable and educational television service. They were intended to promote a one-way video transmission technology. Today, the spectrum may be used to provide high-speed broadband services for the commercial and educational markets. The regulations must be updated to encourage MMDS use and to put it on a level playing field with other wireless broadband services.

Rural carriers are especially hard hit by burdensome, unnecessary regulations. These carriers lack the staff and financial resources of major market players who can seek countless waivers to meet their specific needs for exceptions to general rules. However, wireless technology may provide the difficult “last mile” link to the most remote areas of rural America, areas that are very expensive, if not virtually impossible to reach via wired technology. Rural carriers should be encouraged to experiment with their wireless licenses so that they may provide service to previously unserved subscribers and bring the benefits of broadband to areas where other technologies are too costly or unavailable. However, under current regulation, every modification to a MMDS system, no matter how minor, takes significant time and resources, time and resources that would be better spent building out a system.

Other players in the market avoid additional FCC filings for no reason other than they lack the broadcast history of MMDS. The Commission recognized the value of MMDS/ITFS spectrum when it adopted rules to permit the use of the spectrum to deliver

two-way broadband video, voice and data services. It is time that the Commission conform the rest of its rules and treat MMDS/ITFS similarly to other wireless spectrum with broadband transmission potential.

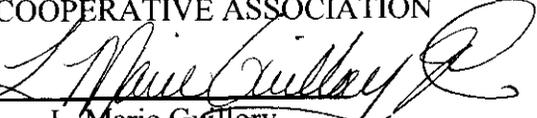
Increased flexibility in the use of MMDS/ITFS spectrum will promote Section 706 of the Telecommunications Act of 1996 by introducing a different regulatory method which promotes the deployment of advanced services to consumers.

CONCLUSION

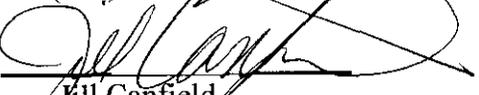
For the above stated reasons, NTCA supports the requested revisions of the rules governing the use of MMDS/ITFS frequencies.

Respectfully submitted,

NATIONAL TELECOMMUNICATIONS
COOPERATIVE ASSOCIATION

By: 

L. Marie Gullery
(703) 351-2021

By: 

Jill Canfield
(703) 351-2020

Its Attorneys

4121 Wilson Boulevard, 10th Floor
Arlington, VA 22203
703 351-2000

November 14, 2002

CERTIFICATE OF SERVICE

I, Gail Malloy, certify that a copy of the foregoing Comments of the National Telecommunications Cooperative Association in RM-10586, DA 02-2732 was served on this 14th day of November 2002 by first-class, U.S. Mail, postage prepaid, to the following persons.


Gail Malloy

Chairman Michael Powell
Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, D.C. 20554

Commissioner Kathleen Q. Abernathy
Federal Communications Commission
445 12th Street, SW, Room 8-A204
Washington D.C. 20554

Commissioner Kevin J. Martin
Federal Communications Commission
445 12th Street, SW, Room 8-C302
Washington, D.C. 20554

Commissioner Michael J. Copps
Federal Communications Commission
445 12th Street, SW, Room 8-A302
Washington, D.C. 20554

Qualex International Portals II
445 12th Street, SW
Room CY-B402
Washington, D.C. 20554

Charles M. Oliver
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Thomas J. Sugrue, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Joseph Casey, Chief
Public Safety and Private Wireless
Division
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Alan J. Scrimme, Chief
Policy and Rules Branch
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554