

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Proposal to Revise)	DA 02-2732
Multichannel Multipoint)	
Distribution Service and the)	
Instructional Television Fixed)	
Service Rules)	RM-10586

To the Commission:

COMMENTS OF NUCENTRIX BROADBAND NETWORKS, INC.

Nucentrix Broadband Networks, Inc. ("Nucentrix" or the "Company") hereby submits its comments in response to the Commission's public notice in the above-captioned proceeding.

Nucentrix strongly supports the proposal submitted on October 7, 2002, by the Wireless Communications Association International, Inc., the National ITFS Association and Catholic Television Network (the "Industry Proposal"). In its First Report and Order released September 24, 2001¹, the Commission clearly stated its objectives of promoting the continued deployment of fixed wireless broadband services and introducing new advanced wireless services in the 2.5 GHz band. The Commission now has the opportunity to take a historic step toward achieving these objectives by revising the decades-old regulatory framework for Multichannel Distribution Service ("MDS") and Instructional Television Fixed Service ("ITFS"), as set forth in the Industry Proposal.

As one of the largest MDS licensees in the United States, Nucentrix is committed to

¹ First Report and Order, *Amendment of Part 2 of the Commission's 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. 00-258, released September 24, 2001.

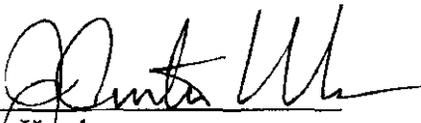
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making available a variety of advanced broadband services to the almost 9 million households in its service area. **Although** Nucentrix currently provides wireless cable multichannel Video service in 50 markets under the existing MDS/ITFS regulations, the Company believes that the best and ~~highest~~ use **of** the 2.5 GHz spectrum is fixed, portable and mobile broadband services. However, because of the restrictive interference protection requirements, site-by-site licensing scheme, and interleaved band plan, the deployment of innovative new technologies for two-way cellular services **has** been **stymied**. In addition, in a restricted financial environment, capital to **fund** construction and deployment **of** these networks is scarce. **A** nationwide bandplan, flexible **service** rules **and** other revisions proposed by **the** MDS/ITFS coalition are critical to providing vendors, service providers and capital markets with a stable regulatory framework that will encourage investment and allow services in the 2.5 GHz band to flourish in competition with ~~other~~ broadband providers.

Respectfully submitted,

NUCENTRIX BROADBAND NETWORKS, INC.

November 14, 2002

By: 
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CERTIFICATE OF SERVICE

I, Kim Riddick, hereby certify that on this 14th day of November 2002, I caused copies of the foregoing Comments by Nucentrix Broadband Networks, Inc. to be hand-delivered to the following persons.



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