



## REPLY COMMENTS OF SOMA NETWORKS

SOMA Networks, Inc, on behalf of itself (hereafter, collectively “SOMA”), and by its attorneys, hereby submits reply comments in the above-captioned proceeding respecting the April 2, 2003 *Notice of Proposed Rule Making*.

### Summary

SOMA designs, manufactures, and sells a Broadband Wireless Access (BWA) system, called the SOMA™ solution, to a customer base which spans all the continents across the globe. As such, the radio-dependent components of the SOMA SoftAir™ platform, the Customer Premise Equipment (SOMApport™ subscriber terminal) and Base Station Equipment (SOMA™ macro base station) are available in numerous radio bands. This worldwide customer base includes secured and prospective customers in the United States. Through SOMA’s engagement with various Service Providers and/or prospective Service Providers seeking the ability to offer Broadband services utilizing the MDS/ITFS/MMDS spectrum allocation, it has become abundantly clear that the regulatory rules governing this spectrum are in need of modernization and adjustment to fit with the latest technologies in the marketplace. Thus, SOMA considered it imperative to participate as an active member of the WCA Engineering Committee and assist in the construction of the WCA/NIA/CTN Coalition technical proposal, which SOMA believes best meets the needs of all interested parties. SOMA fully supports the WCA/NIA/CTN Coalition technical proposal in its entirety and would respectfully request that the Commission quickly move to accept these modifications and effectively unleash the potential value of the MDS/ITFS/MMDS spectrum. In the following sections, SOMA expresses additional insight to several of the NPRM topics for which the commission requested commentary.

### Changes to the 2500 – 2690 MHZ Band Plan

The Proposed WCA/NIA/CTN Band Plan is the best recommendation for numerous reasons:

- 1) The flexibility of the WCA/NIA/CTN Band Plan allows for market forces to determine preferred technologies. In fact, should Service Providers differ on their technology decisions (such as FDD or TDD), the Band Plan allows for coexistence under the vast majority of subscriber deployment scenarios.
- 2) The WCA/NIA/CTN Coalition Band Plan Proposal provides the flexibility for transition from the current band plan to the Proposed Coalition Band Plan.
- 3) The MBS, as represented in the WCA/NIA/CTN Proposal, provides for a natural and most efficient position for duplex separation as required by FDD equipment vendors, such as SOMA. Altering the position of WCA/NIA/CTN MBS would effectively negate the “equalizing market forces” that naturally select technology leaders.
- 4) Although global harmonization is the preferred goal, it is SOMA’s position that expediency of

regulatory reform is paramount, as Service Providers and Manufacturers alike are anxious to undertake their business opportunities and thus serve the public with competitive Broadband offerings. In effect, it is SOMA's opinion that the United States cannot wait for global harmonization, as utilization of this precious spectral resource must take precedence. It should also be noted that SOMA's system provides a software-selectable band-plan that is fully compliant with the WCA/NIA/CTN coalition's proposals, and this offering has been accepted in international deployments to date.

For the specific reasons stated above, as well as the numerous comments provided in other supportive filings, clearly the WCA/NIA/CTN Coalition's Plan is far superior to the current MDS/TTFS/MMDS spectrum regulations.

### **The Base Station Mask**

The Coalition has crafted a band plan to allow complete technology flexibility, but that flexibility is tied to a "dual mask" and again is a reasonable approach that balances manufacturer certification and the protection a Service Provider will need if two or more Service Providers deploy incompatible services in the same geographical market.

As a BWA Manufacturer, SOMA supports a mask of  $43 + 10 \log (P)$  for general equipment certification as well as an exceptional operator-managed mask of  $67 + 10 \log (P)$ .

### **CPE mask**

SOMA supports the WCA/NIA/CTN Coalition's proposal for general manufacturer certification of  $43 + 10 \log (P)$  from the band edge out to 5.5 MHz, and  $55 + 10 \log (P)$  from 5.5 MHz on. The Coalition Proposal has recognized the need for reduced out-of-band emissions between uncoordinated CPE technologies in near proximity operation. Although FDD technology provides for an inherent solution in addressing uncoordinated CPE technologies, SOMA recognizes and supports the need for the market to determine preference in technology. As such, the Coalition's proposed CPE mask is a fair and reasonable approach.

Respectfully submitted,

/s/ Richard Kenedi