

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

In the Matter of)
)
Facilitating Opportunities for Flexible,)
Efficient, and Reliable Spectrum Use) ET Docket No. 03-108
Employing Cognitive Radios)

**REPLY COMMENTS OF THE
WIRELESS BROADBAND OPERATORS COALITION**

The Wireless Broadband Operators Coalition (“WBOC”) hereby submits its reply comments in response to the Commission’s *Notice of Proposed Rulemaking* (“NPRM”) in the above-captioned proceeding.

In its initial comments in response to the *NPRM*, WBOC presented a technical proposal that, if adopted, would permit point-to-multipoint wireless broadband systems in the license-exempt bands at 902-928 MHz, 2400-2483.5 MHz and 5.8 GHz to increase power in all markets without degrading the RF environment for in-band or out-of-band users of spectrum.¹ Essentially, WBOC’s proposal would (1) change the relevant power metric in Section 15.247 from “maximum peak output power” to “maximum average interference power” (“MAIP”); (2) limit MAIP to one watt (although WBOC believes that the MAIP limit could be raised to ten watts or more); (3) define MAIP as the product of instantaneous transmitter power (the amount of power entering the antenna port) times transmitter (“TX”) duty cycle, times horizontal beamwidth divided by 360 (*i.e.*, $MAIP = ITX * TX \text{ Duty Cycle} * (\text{horizontal antenna$

¹ See Comments of Wireless Broadband Operators Coalition, ET Docket No. 03-108 (filed May 3, 2004) (“WBOC Comments”).

beamwidth/360); (4) impose no limit on ITX Power so long as the other two factors are adjusted as necessary to keep MAIP at no higher than 1 watt; and (5) require use of cognitive radio technology to mitigate interference in the limited number of cases where operation under the MAIP formula increases interference to other users of the license-exempt bands.

WBOC assumes that other parties to this proceeding will offer any comments they have on the WBOC Proposal during the reply comment phase of this docket, and, if necessary, WBOC will respond to such comments at a later date via the *ex parte* process. As a preliminary matter, it should be noted that the WBOC Proposal is the only one in the record that seriously attempts to devise a methodology for permitting higher power for point-to-multipoint license-exempt broadband operations in all markets, without the difficulties associated with attempting to limit such higher power operations to rural areas only, however they are defined. Indeed, like WBOC, a number of parties highlighted those difficulties in their initial comments, further validating WBOC's view that an "all markets" solution is the better path here.² For the reasons already discussed in WBOC's comments, the WBOC Proposal achieves the Commission's objective of expanding wireless broadband service to rural areas, but without leaving consumers in underserved non-rural areas behind.

It is also apparent that the WBOC Proposal already has addressed some of the core concerns expressed by other parties about higher power operations in the license-exempt bands. For example, WBOC is not proposing to permit license-exempt operators to use cognitive radios

² See, e.g., Comments of the Society of Broadcast Engineers, Inc., ET Docket No. 03-108, at 2-3 (filed May 3, 2004).

