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April 30, 2010

Larry Strickling
Assistant Secretary for Communications and Information
Department of Commerce
1401 Constitution Ave, N.W.
Washington, DC 20554

Dear Mr. Strickling,

On behalf of the Telecommunications Industry Association (TIA), I thank you for the time you and your staff took to meet with me and TIA representatives on March 18th, 2010. I hope you found the meeting as valuable as I did.

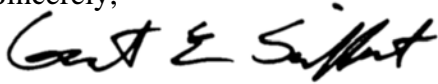
As requested, I have provided a description of policies and actions TIA believes that the National Telecommunications and Information Administration (NTIA) can, under your leadership, take to ensure key priorities of the Federal Communications Commission's National Broadband Plan are realized to the benefit of all Americans.

With regard to your inquiry on the potential of NTIA allocating in non-contiguous blocks and in geographically inconsistent portions the 1755-1780 MHz band for pairing with the AWS-3 band, TIA feels strongly that the pairing of these bands holds promise to yield approximately 20 MHz of scarce spectrum ideal for wireless broadband that is regionally harmonized. The ability of wireless technology to provide high data rates largely depends on the amount of spectrum that can be harnessed for use as a contiguous unit. While commercial wireless technologies continue to develop, future evolution of wireless technologies and services would be greatly enhanced by more contiguous spectrum. Thus, it would be important to increase wireless broadband spectrum using AWS-3 paired with the 1755-1780 MHz band as a contiguous block that is available nationwide. A piecemeal approach to the availability of the 1755-1780 MHz band would complicate the development of equipment for this market. However, should the NTIA determine that the 1755-1780 MHz band can only be allocated to commercial use on a regional basis based upon technical analysis and taking into account the national security or other priority uses of the band, wireless broadband service providers may still be able to use this spectrum.

I hope the following document provides insight and serves as a foundation for TIA to work even more closely with you in the coming years.

Please feel free to contact me anytime to discuss our positions.

Sincerely,

A handwritten signature in black ink that reads "Grant E. Seiffert". The signature is written in a cursive style with a large initial 'G' and 'S'.

Grant Seiffert
President

TIA's Roadmap for NTIA Action on the National Broadband Plan

As the Federal Communications Commission's (Commission) National Broadband Plan¹ makes clear, the National Telecommunications and Information Administration (NTIA) can significantly contribute to extending broadband to all corners of America. NTIA can seize this opportunity through continued effective spectrum management, partnering with the Commission on spectrum inventory and reallocation efforts, and leading in federal adoption and deployment programs. Through these initiatives, NTIA can speed broadband deployment, innovation, and adoption.

I. MAKING SPECTRUM AVAILABLE FOR WIRELESS BROADBAND.

A. NTIA Should Partner With the FCC to Identify Spectrum That May be Available for Wireless Broadband Use.

TIA agrees with the Commission that NTIA can have a significant role in making spectrum available for wireless broadband use. NTIA and the Commission should inventory spectrum usage to provide a clear view of the state of spectrum utilization on a periodic basis. Concurrently, TIA agrees that NTIA can enhance opportunities to allocate additional spectrum for mobile wireless by partnering with the FCC to identify blocks of spectrum suitable for sharing or repurposing on a licensed and/or unlicensed basis.² Increases in technology efficiency are not enough to meet the future demands of mobile broadband for commercial or federal users.³ By working with the Commission to identify federal and non-federal spectrum that could be available for mobile wireless services, NTIA can assist in meeting this demand.

B. NTIA Can Improve the Implementation of the CSEA Process.

The Commercial Spectrum Enhancement Act (CSEA), which established the Spectrum Relocation Fund (SRF) that allows use of part of the proceeds of certain spectrum auctions for reimbursement of federal entities for the costs of moving their operations to new frequency assignments, is extremely important. CSEA provides some level of guarantee that displaced federal missions can be accommodated if existing federal operations are forced to move due to spectrum reallocations to commercial use and subsequent Commission auctions. Increased clarity by NTIA of the CSEA process

¹ FEDERAL COMMUNICATIONS COMMISSION OMNIBUS BROADBAND INITIATIVE, CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN (2010) (National Broadband Plan).

² *See id.* at 96-97.

³ *See id.* at 85 ("Ultimately, the cost of not securing enough spectrum may be higher prices, poorer service, lost productivity, loss of competitive advantage and untapped innovation. It would not be wise for America to bet its mobile future on a strategy of 'demand reduction.'"). *See also id.* at 76-77 ("3G network services are in full bloom. Data traffic on AT&T's mobile network, driven in part by iPhone usage, is up 5,000% over the past three years, a compound annual growth rate of 268%. Verizon Wireless says it, too, has recently experienced substantial data growth in its network. According to Cisco, North American wireless networks carried approximately 17 petabytes per month in 2009, an amount of data equivalent to 1,700 Libraries of Congress. By 2014, Cisco projects wireless networks in North America will carry some 740 petabytes per month, a greater than 40-fold increase."). *See also* Letter from 21st Century Telecommunications et al., Members of the Consumer Electronic Association et al., to Chairman Julius Genachowski and Commissioners, FCC, GN Docket No. 09-51 (Dec. 2, 2009) at 1 (stating that, "without more spectrum, America's global leadership in innovation and technology is threatened.").

would provide greater certainty among all stakeholders. For example, bidders and federal users should have clear guidance as to procedural timelines and a plan that will lay out specific steps to be taken both after spectrum currently used by the federal government is identified for commercial use.

NTIA can also work with all federal agencies to provide guidance to federal spectrum users regarding the opportunities inherent in more efficient spectrum management policies. Moreover, TIA agrees with the Commission that Congress should allow a full range of costs to be covered by the CSEA auction process and compensation for using commercial services and non-spectrum-based operations, as well as spectrum-based system deployments.

Finally, Office of Management and Budget (OMB) rules regarding the technologies that the SRF can fund should be applied in a way that allows for federal use of the best technologies available to meet their specified mission. OMB has stated that initial or subsequent requests for SRF funding should be limited to maintain “comparable capability of systems.” Federal users should not be forced to avoid upgrading capabilities, but rather be encouraged to do so particularly when they yield the promise of more effective use of spectrum. Therefore, TIA urges NTIA to work with OMB to ensure that the “same functionality rule” is applied in a way that encourages and enables government spectrum users to benefit from advances in technologies and technology capabilities.

C. NTIA Should Assess the Viability of Pairing the 1755-1780 MHz Band With the AWS-3 band.

TIA agrees with the Commission that there may be a significant opportunity to increase spectrum available for wireless broadband use by repurposing the federal 1755-1780 MHz band and pair it with the 2155-2180 MHz (AWS-3) band.⁴ While the 1710-1885 MHz band has been identified by the International Telecommunication Union for commercial wireless, it should be noted that the 1750-1850 MHz portion of this band is also allocated to space research and operations in the Americas⁵. The AWS-3 band is currently unpaired, which conflicts with the goals of global spectrum harmonization. Thus, TIA agrees with the Commission that NTIA should analyze the possibility of reallocating a portion of the 1755–1850 MHz band to pair with the AWS-3 band and, if suitable based on technical and operational impact analyses, work with the Commission to commence reallocation proceedings for the combined band.⁶

⁴ See National Broadband Plan at 86-87.

⁵ Standards and devices already exist in the 1710–1785 MHz and are used in Europe, Asia, and Brazil. See, e.g., Fred Christmas, on behalf of the GSM Association, Benefits of Frequency Harmonisation, Presentation at ITU Workshop on Market Mechanisms for Spectrum Management at 8 (Jan. 2007), available at http://www.itu.int/osg/spu/stn/spectrum/workshop_proceedings/Presentations_Abstracts_Speeches_Day_1_Final/ITU%20worshop%20jan%2007%20v2%201+%20FAC%20comments%203.pdf.

⁶ See *id.*

II. BRIDGING THE BROADBAND DIVIDE.

NTIA has repeatedly proven it can effectively administer broadband adoption and deployment programs. The Commission has proposed several grant initiatives designed to enhance broadband adoption and availability in unserved and underserved areas. NTIA, with its vast experience in administering new programs making broadband available and adopted, is in an ideal position to ensure that any new program successfully serves its purpose and target constituency.

TIA strongly supports the National Broadband Plan's proposed Digital Literacy Corps. This innovative program can effectively bring disadvantaged Americans into the broadband age through training that increases comfort with and effective use of broadband.⁷ Should Congress provide funding for a Digital Literacy Corps, NTIA is in an ideal position to design and administer the program. Moreover, NTIA will be a highly effective body to coordinate the maintenance of an Online Digital Literacy Portal to make online lessons available to all Americans.⁸ These programs, along with the proposed Tribal Broadband Fund⁹ and the National Broadband Clearinghouse¹⁰ for providing best practices on broadband deployment and adoption, will most efficiently be facilitated through NTIA leadership.

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⁷ *See id.* at 175-176.

⁸ *See id.* at 174-175.

⁹ *See id.* at 184-185.

¹⁰ *See id.* at 183-184.