FCC Moves Forward on 700 MHz Interoperability and MSS Spectrum Rules

The FCC voted to investigate what technical factors should be taken into account as part of an effort to make the entire Lower 700 MHz band interoperate. Additionally, the FCC voted to look at rules that would allow terrestrial use of Mobile Satellite Service (MSS) spectrum, which could have a significant impact on how and when Dish Network deploys its network. The FCC adopted both items unanimously.

The 700 MHz interoperability rulemaking will primarily look at a very technical issue: the potential for harmful interference to Lower 700 MHz B and C Block operations if the Lower 700 MHz Band were interoperable and whether, if such interference exists, it can be reasonably mitigated. Additionally, the FCC will seek comment on how it should proceed with interoperability rules should the commission determine that interoperability would cause limited or no harmful interference to Lower 700 MHz B and C Block licensees or if it could be mitigated.

At its heart, the issue of 700 MHz interoperability pits smaller carriers with spectrum in the Lower A Block--including Vulcan Wireless, King Street Wireless (U.S. Cellular's bidding partner), C Spire Wireless and MetroPCS--against larger carriers, primarily AT&T. The smaller carriers operate in Band Class 12 while AT&T operates in Band Class 17, and the smaller carriers argue that without interoperability, device makers will cater to the needs of AT&T and Verizon Wireless. T-Mobile USA, which plans to deploy LTE in AWS spectrum next year, recently took the side of the smaller carriers, contending interoperability would help ease roaming between different spectrum bands for LTE service.

"AT&T welcomes this proceeding to the extent that it offers an opportunity to find real solutions to the real interference and deployment challenges in the band," wrote AT&T's Joan Marsh in a company blog post. "Only real solutions will support robust deployment of LTE services in the A-block and only real solutions will lead to true interoperability throughout the lower 700 MHz band. The industry deserves and, quite frankly, should accept nothing less."

(Incidentally, LTE devices from AT&T Mobility cannot work on Verizon Wireless' LTE network because the two carriers are using different band classes.)

The FCC's rulemaking will look at the technical and operational factors that could affect a transition to interoperability, but stresses that a voluntary, industry-led solution is preferable. Commissioner Robert McDowell, the lone Republican on the commission (only three of the FCC's five commissioner seats are currently filled), said at the FCC's open meeting that "government mandates should be a last resort." Democratic Commissioner Mignon Clyburn said that the FCC shouldn't hesitate to move forward with rules requiring interoperability if the private sector

does not come up with a solution. FCC Chairman Julius Genachowski said that an industry-led solution would be preferable but that "of course, we're launching this proceeding because no solution has yet been reached."

Separately, the FCC voted to move ahead with a rulemaking that explores how the S-band of MSS spectrum, which the FCC has renamed "AWS-4," should be designed so that the satellite spectrum can be repurposed for terrestrial use. The issue is critical to Dish Network, which recently received the licenses for 40 MHz of S-band spectrum and intends to deploy an LTE Advanced network on those airwaves. Dish cannot use the spectrum for a terrestrial network until it receives FCC approval.

The MSS rulemaking, which Genachowski said he hopes will be concluded "expeditiously," will involve rules for interference, protection of the licensees of the spectrum and buildout requirements. Dish has pledged to work with the FCC on the proceeding.

Additionally, the FCC will look at the potential to take the 1695-1710 MHz band and repurpose it for commercial mobile broadband. The National Telecommunications and Information Administration has proposed to reallocate the spectrum from federal to commercial use.

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