



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC REMOVES REGULATORY BARRIERS TO FREE UP 30 MHZ OF BROADBAND SPECTRUM

Washington, D.C. – The Federal Communications Commission today adopted revised rules to enable Wireless Communications Service (WCS) licensees’ to use a total of 30 megahertz of underutilized spectrum in the 2.3 GHz band for wireless broadband services, while protecting the adjacent Satellite Digital Audio Radio Service (SDARS) operator Sirius XM Radio Inc. (Sirius XM) against harmful interference. Today’s action continues the FCC’s efforts to remove the regulatory barriers that are limiting the flexible use of spectrum for broadband services.

The revised rules are consistent with a compromise proposal between AT&T Inc. and Sirius XM designed to facilitate the efficient deployment and coexistence of the WCS and SDARS.

Of the 30 megahertz of total spectrum, 20 megahertz may be used for mobile broadband services and 10 megahertz for fixed broadband services, with possible future use as downlink spectrum to serve mobile broadband devices.

The revised rules also provide Sirius XM greater certainty and flexibility by adopting conditions for identifying and resolving harmful interference to SDARS operations on roadways and by relaxing the SDARS licensee notification requirements for low-power terrestrial repeaters and for minor modifications to repeaters. WCS and SDARS licensees are encouraged to enter into coordination agreements with one another for interference mitigation.

The Order also provides a limited extension of the WCS construction periods and restarts the WCS construction periods to enable WCS licensees to respond to the rule revisions while ensuring significant deployment of facilities in the near term. The Order also addresses a number of other technical issues raised in various petitions for reconsideration that were not the specific focus of the AT&T and Sirius-XM joint proposal.

Action by the Commission October 17, 2012, by Order on Reconsideration (FCC 12-130). Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel, and Pai. Separate statements issued by Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel, and Pai.

WT Docket No. 07-293 and IB Docket No. 95-91

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