December 17, 2012

Manager, Emerging Networks, DGSO
Industry Canada
300 Slater Street
Ottawa, ON
K1A 0C8

Re: Canada Gazette, Part I, October 2012, DGSO-006-12, Industry Canada Notice of Consultation on Renewal Process for 2300Mhz and 3500Mhz Licences

We are in receipt of DGSO-006-12 issued in October of this year. Our responses to questions outlined on Page 14 of the document are below.

Industry Canada invites comments on the options for renewal in the 2300 MHz and 3500 MHz bands. Refer to the following questions (as well as Question 1, found on page 5 of this consultation) when submitting comments.

(2) For the 2300 MHz band, which of the two options is preferred?

ccROUTE has no working knowledge as to which option would be most beneficial here. However, our opinion is that option B is the most practical and measurable methodology at this time. Additionally, we do suggest that there should be some consideration towards end user servicing as this proposal using fixed links was not part of the requirement for the initial term.

(3) For the 3500 MHz band, which of the two options is preferred?

Given our working knowledge of this band and the equipment we have deployed to date, we feel that option B is most practicable. We do suggest that there should be some consideration towards end user servicing as this proposal using fixed links was not part of the requirement for the initial term.

In responding to the following questions, provide supporting rationale for each band separately.

(4) For Option 1 (detailed in section 7.1 of this consultation):

A. Should licence terms be extended?

   a. If so, should they be extended by the same length for all licensees?

      i. Is three years an appropriate extension?
b. Or, should the licence terms be extended to a fixed date for all licensees?

   i. Would December 2017 be an appropriate extension date?

For both bands, ccROUTE believes that the licence terms should not be extended to licensees who do not meet the revised deployment conditions. If non-compliant licensees are expecting to renew there needs to be a process which does not undermine those in compliance. In such instances a process which adopts a case-by-case basis should be considered but necessarily be considered a renewal.

B. Should the deployment requirement also be extended to the end of the proposed term?

Taking our response from above, we believe that a deployment requirement is required for issuing any licence in any band.

C. In considering an extension of the licence term, do you expect equipment in the 2300 MHz band to become available soon enough to achieve the deployment requirements by December 2017?

We have no experience or knowledge in being able to comment here.

D. In considering an extension of the licence term, do you expect LTE equipment in the 3500 MHz band to become available soon enough to achieve the deployment requirements by December 2017?

Despite the lack of LTE equipment availability, there are plenty of other technologies deployed today. Although it would be beneficial to a licensee or applicant, we do not believe that any conditions of license should consider or be tied to the availability of the latest and greatest in technology. This would be akin to parking your car on the 401 waiting for gas prices to drop.

E. Are there any additional considerations that should be taken into account by Industry Canada?

ccROUTE requests that Industry Canada take into account the need for additional spectrum for licensees already in compliance with deployment requirements for current holdings. ccROUTE wishes to obtain additional blocks within the 3500Mhz band plan as we are currently servicing subscribers to maximum capacity. We need to expand.

Also, ccROUTE asks that a revised guard band allocation be established for 3650Mhz which is being considered for licensing.

(5) For Option 2 (detailed in section 7.2 of this consultation):

A. Given the potential upcoming changes, is 10 years an appropriate term for new licences issued through the renewal process?

ccROUTE has worked within the current licensing process and feels 10 years is an appropriate term for any new licencess being issued.
B. Should deployment requirements apply to new licences under the renewal process? If so, what should the deployment requirements be?

Deployment requirements should follow the current parameters as outlined in the July 2003, Policy and Licensing Procedures for the Auction of Spectrum Licences in the 2300 MHz and 3500 MHz Bands and all subsequent revisions including the March 2011 revised deployment requirements.

C. Are there any additional matters that should be considered by Industry Canada when issuing a new licence for a new term?

(6) Are there any other options for the licence renewal process that Industry Canada should consider?

We would like to emphasize…

ccROUTE requests that Industry Canada take into account the need for additional spectrum for licensees already in compliance with deployment requirements for current holdings. ccROUTE wishes to obtain additional blocks within the 3500Mhz band plan as we are currently servicing subscribers to maximum capacity. We need to expand.

Also, ccROUTE asks that a revised guard band allocation be established for 3650Mhz which is being considered for licensing.

Finally, we wish to restate that there should be some consideration towards end user servicing when considering only fixed links and deployment requirements. The proposal as stated in using fixed links was not part of the requirement for the initial term.

(7) Industry Canada invites comments on the proposed wording of the condition of licence related to the licence term (detailed in section 8 of this consultation).

We have no additional comments on this wording.

Respectfully submitted,

Michael Fiorini
VP & General Manager
ccROUTE Inc.
m (705) 879.9784
w (705) 887.7501
michaelf@cablecable.net