December 17, 2012

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By email to: spectrum.operations@ic.gc.ca

Re: Notice No. DSGO-006-12 — Consultation on Renewal Process for 2300 MHz and 3500 MHz Licenses, Canada Gazette, Part I, October 20, 2012, Gazette Notice DSGO-006-12 (the “Consultation”)

1. AT&T Mobility, LLC, on behalf of itself and its affiliates (“AT&T”), respectfully submits the following comments on Industry Canada’s Consultation on the Renewal Process for 2300 MHz and 3500 MHz Licenses. In the Consultation, Industry Canada notes that the 2300 MHz (“2.3 GHz”) band in Canada is underutilized, and that it will consider, in addition to issues regarding the renewal process, possible changes to the technical rules with the objectives of increasing the utilization of the band, limiting the potential for interference between wireless communication services (“WCS”) and satellite digital audio radio service (“SDARS”) licensees, and aiding the development of the Canadian equipment ecosystem in the WCS (2.3 GHz) band. AT&T is pleased that Industry Canada has invited stakeholders to participate in the process of refining technical rules and welcomes the opportunity to comment on policies to enhance the Canadian wireless telecommunications ecosystem.

2. AT&T provides facilities-based mobile wireless services throughout the United States. AT&T holds a significant number of licenses in the WCS (2.3 GHz) band in the U.S., and it plans to deploy FDD Long-Term Evolution (“LTE”) in the band in accordance with technical rule changes adopted by the Federal Communications Commission (“FCC”) on October 17, 2012. AT&T respectfully requests that Industry Canada consider the adoption of changes to the technical rules for the 2.3 GHz band in Canada consistent with the FCC’s rules.

1 Consultation at Paragraphs 32-39.

2 Frequency division duplex—allows bidirectional communication, where the transmit and receive links are deployed over different frequency bands.

3 Amendment of Part 27 of the Commission’s Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band, WT Docket No. 07-293, Order on Reconsideration, ___FCC Rcd ___ (Released October 17, 2012).
3. In the United States, the WCS (2.3 GHz) band is presently underutilized. Licenses were assigned by auction in 1997, but as in Canada, uncertainty over potential interference, and a dearth of available equipment led to very limited deployment in the band. In 2007, the FCC extended the build out deadlines for an additional 3 years, and in 2010, it adopted technical rule changes designed to allow the deployment of wireless broadband services while protecting SDARS licensees from interference. Still, SDARS and WCS licensees continued to express concerns over the rules and the potential for harmful interference, and use of the 2.3 GHz band continued to be very limited.

4. In June of 2012, SiriusXM (the holder of the SDARS licenses in the U.S.) and AT&T jointly submitted proposed rule changes that would permit the deployment of FDD LTE in each of the paired, 10 MHz A and B blocks of the 2.3 GHz band (which are 5 MHz away from the SDARS allocation) and prohibit mobile and portables in the unpaired, 5 MHz C and D blocks immediately adjacent to the SDARS allocation. The FCC adopted these proposals on October 17, 2012.

5. The FCC’s adoption of these rules will help to meet the exploding demand for mobile broadband capacity in the U.S. by adding 20 MHz to the supply of available mobile broadband spectrum, while protecting satellite radio from harmful interference. AT&T plans to rapidly deploy FDD LTE in the band, to cover 40 percent of the population in each license area within 4 years, and 75 percent of the population in 6.5 years. Standards for FDD LTE in the 2.3 GHz band are underway in 3GPP and should be completed by September of 2013.

6. AT&T respectfully submits that just as the FCC found that changing the WCS rules to accommodate LTE in the U.S. was in the public interest, Industry Canada should consider whether it would be in Canada’s interest to adopt similar changes to its technical rules for the 2.3 GHz band. The Consultation indicates that uncertainty about interference rules and the unavailability of equipment has left the 2.3 GHz band in Canada underutilized, just as it is presently in the United States. Changing the rules to parallel the FCC’s rules would alleviate uncertainty in the band. First, such changes would resolve potential interference concerns between WCS licensees and SiriusXM Canada, which provides satellite radio service using the SDARS band. Moreover, accommodating the deployment of FDD LTE in the 2.3 GHz band may be more likely to attract capital investment, encouraging more rapid deployment of service. In

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4 Consultation at Para. 32.
5 See fn. 3, supra.
6 Third Generation Partnership Project.
7 A work item for the development of FDD LTE standards in the 2.3 GHz band was approved in the September 2012 3GPP RAN plenary session, and work began soon after the FCC rules were approved. http://www.3gpp.org/ftp/tsg_ran/TSG_RAN/TSGR_57/Docs/RP-121419.zip; http://www.3gpp.org/ftp/tsg_ran/TSG_RAN/TSGR_58/Docs/RP-121828.zip
addition, the presence of LTE service in the same band in the U.S. would facilitate U.S./Canada roaming on LTE. Furthermore, because AT&T plans to rapidly deploy FDD LTE throughout the U.S. in this band, equipment will be available and will be produced at scale. The adoption by Industry Canada of parallel rules would likewise further accelerate the development of the Canadian equipment ecosystem and help to achieve greater scale and lower costs.

7. Finally, the adoption by Industry Canada of technical rules for the 2.3 GHz band that parallel technical rules in the U.S. will reduce the possibility of harmful interference and facilitate cross-border spectrum coordination. While we understand that some nations outside North America plan to deploy time division duplexing (“TDD”) LTE in the 2.3 GHz band, the deployment of TDD LTE in Canada (alongside FDD LTE deployment in the U.S.) would likely lead to the frequent occurrence of harmful co-channel interference and would limit the utility of the band in areas along the Canada/U.S. border. By contrast, the deployment of FDD LTE on both sides of the border would greatly reduce the possibility of cross-border, co-channel interference and greatly simplify coordination.

8. Notably, when Industry Canada was considering a policy and technical framework for the 700 MHz band, it ultimately determined to harmonize the technical rules with those adopted by the FCC for use in the United States, reasoning that parallel requirements “would promote economies of scale by allowing the Canadian market access to a wide selection of low-cost equipment . . . enable cross-border roaming and allow simpler cross-border frequency arrangements and coordination procedures for both public safety and commercial mobile services.” AT&T submits that Industry Canada should adopt technical rules for the WCS (2.3 GHz) band that are in harmony with those adopted by the FCC for use in the United States for all of the same reasons.

AT&T appreciates the opportunity to submit comments in response to this Consultation.

Respectfully submitted,

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