



February 23, 2004

Office of the Chief Counsel National Telecommunications and Information  
Administration (NTIA)  
U.S. Department of Commerce 1401 Constitution Avenue N.W. Room 4713 Washington,  
D.C. 20230

Attention: Unlicensed Devices Proceeding

In response to the Notice of Inquiry regarding Rural Wireless Broadband Access in the 3650 to 3700 GHz band, the Satellite Industry Association (SIA)<sup>1</sup> would like to take this opportunity to express concern about Fixed Satellite Services (FSS) services in band and in the adjacent bands which could potentially be affected by the use of unlicensed devices in these frequencies.

As you may know, in the year 2000 the use of these frequencies was grandfathered for certain pre-existing FSS earth stations<sup>2</sup>, by way of limiting the terrestrial mobile services to base station operations. Several SIA members are currently authorized to provide FSS services in these frequencies and are particularly concerned with the potential impact on services due to the aggregate power to be radiated by these unlicensed devices, given that the total number of devices is not known. In addition, it is important to ensure that the out-of-band emissions from such unlicensed devices are low enough to guarantee that there will be no interference into FSS systems operating in the adjacent bands.

The SIA requests that the NTIA, in researching the potential effects of unlicensed devices on government services in these bands, also take into account the impact on commercial operations, given that commercial operators may currently, or in the future, utilize these frequencies to provide services to the U.S. government.

Sincerely,

Richard Dalbello President, SIA

<sup>1</sup> SIA Executive Members include: The Boeing Company; Globalstar, L.P.; Hughes Network Systems, Inc.; ICO Global Communications; Intelsat; Iridium Satellite LLC, Lockheed Martin Corp.; Loral Space & Communications Ltd.; Mobile Satellite Ventures; Northrop Grumman Corporation; PanAmSat Corporation; SES Americom, Inc. and Verestar Inc. Associate Members include Inmarsat, New Skies Satellites Inc, and Eutelsat Inc. <sup>2</sup> FCC 00-363- First Report and Order and Second Notice of Proposed Rule Making, October 24, 2000.