

FCC Makes Available Additional 25 Megahertz of Spectrum for Mobile Broadband Service

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The FCC is making available an additional 25 megahertz of spectrum for mobile broadband service in much of the United States, while protecting adjacent satellite radio, aeronautical mobile telemetry, and deep space network operations. Although the current technical rules for Wireless Communications Service (WCS) in the 2.3 GHz band effectively limit terrestrial operations to fixed services, the FCC concluded that these technical rules can be changed without risking harmful interference to neighboring operations, and that these changes will enable licensees to provide mobile broadband services in 25 megahertz of the WCS band. To ensure broadband deployment, the FCC adopted new build-out requirements for WCS licensees. In addition, to make possible high-quality satellite radio services, the FCC also adopted rules governing the use of terrestrial repeaters by Satellite Digital Audio Radio Service (SDARS) licensees. *See In the Matter of Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Satellite Service in the 2310-2360 MHz Frequency Band*, WT Docket No. 07-293, IB Docket No. 95-91, GEN Docket No. 90-357, RM-8610, FCC 10-82, Report and Order and Second Report and Order (rel. May 20, 2010).

The current Part 27 rules preclude WCS licensees from providing mobile broadband services, and the current Part 25 rules do not provide technical rules or a licensing regime for SDARS terrestrial repeaters, which are currently authorized via special temporary authority on a non-interference basis. In the Report and Order in WT Docket No. 07-293, the FCC adopted final rules for the WCS that will modify the technical parameters governing the operation of WCS mobile and portable devices and thereby provide WCS licensees with the ability to offer mobile broadband services, while limiting the potential for harmful interference to incumbent services operating in adjacent bands. In the Second Report and Order in IB Docket No. 95-91, the FCC adopted technical rules governing the operation of SDARS terrestrial repeaters that will not impede their deployment or function, but will limit the potential for harmful interference to adjacent bands' WCS spectrum users, and adopt a blanket-licensing regime for SDARS repeaters to promote their flexible deployment. The FCC also established enhanced performance requirements to ensure that WCS licensees use the spectrum intensively in the public interest. Finally, in the Second Report and Order in IB Docket No. 95-91 the FCC established permanent rules for the operation of SDARS terrestrial repeaters, including establishing a blanket licensing regime for repeaters operating up to 12-kW average EIRP.