

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Amendment of Part 101 of the Commission's
Rules to Facilitate the Use of Microwave for
Wireless Backhaul and Other Uses and to Provide
Additional Flexibility to Broadcast Auxiliary
Service and Operational Fixed Microwave
Licensees
Petition for Rulemaking filed by Fixed Wireless
Communications Coalition to Amend Part 101 of
the Commission's Rules to Authorize 60 and
80 MHz Channels in Certain Bands for
Broadband Communications
WT Docket No. 10-153
RM-11602

ORDER

Adopted: October 4, 2012

Released: October 5, 2012

By the Commission:

1. On August 3, 2012, the Commission released a Second Report and Order, Second Further Notice of Proposed Rulemaking, Second Notice of Inquiry, Order on Reconsideration, and Memorandum Opinion and Order in this proceeding. On our own motion, pursuant to Section 1.108 of the Commission's Rules, we issue this limited modification of the Wireless Backhaul 2nd R&O. We are modifying one rule adopted in the Wireless Backhaul 2nd R&O to establish more efficient channel assignments, consistent with the Commission's intent to improve spectrum utilization in these bands.

2. In the Wireless Backhaul 2nd R&O, the Commission allowed microwave operators to create higher capacity links by authorizing 60 megahertz channels in the 5925-6425 MHz band (Lower 6 GHz band) and 80 megahertz channels in the 10700-11700 GHz band (11 GHz band), respectively. The

1 Amendment of Part 101 of the Commission's Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees, WT Docket No. 10-153, Second Report and Order, Second Further Notice of Proposed Rulemaking, Second Notice of Inquiry, Order on Reconsideration, and Memorandum Opinion and Order, FCC 12-87 (rel. Aug. 3, 2012) ("Wireless Backhaul 2nd R&O").

2 47 C.F.R. § 1.108.

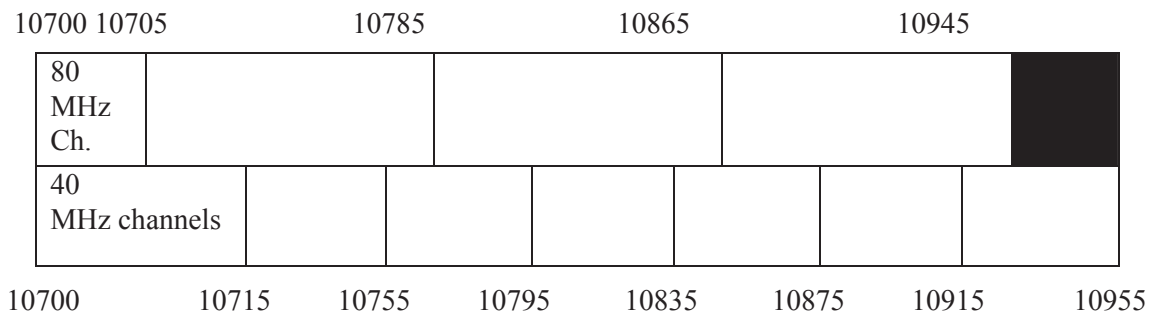
3 The Fixed Wireless Communications Coalition (FWCC) raised this issue in an Ex Parte presentation. See Letter from Mitchell Lazarus, Counsel for the Fixed Wireless Communications Coalition to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Aug. 23, 2012) (FWCC August 23 Ex Parte).

4 Wireless Backhaul 2nd R&O at ¶¶ 52-54.

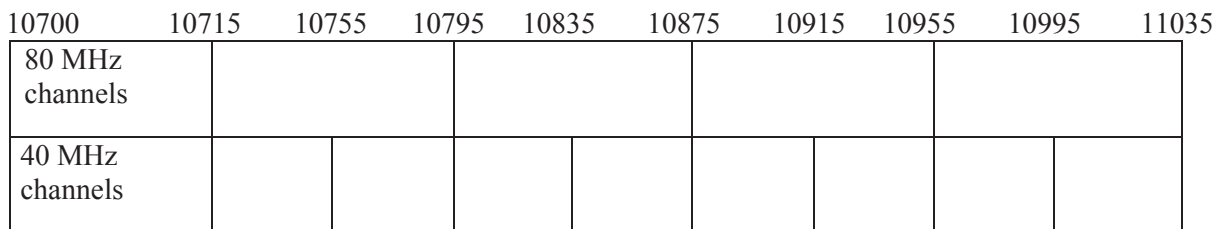
intent was to allow operators to combine existing 30 and 40 megahertz channels to create wider channels.<sup>5</sup>

3. Consistent with our normal practice in Part 101 of our rules, the Commission adopted a rule specifying the channel center frequencies for the 60 and 80 megahertz channels in the Lower 6 and 11 GHz bands.<sup>6</sup> The center frequencies contained in the rule as adopted, however, do not align the wider 60 and 80 megahertz channels with the existing narrower 30 and 40 megahertz channels. In the Lower 6 GHz band, the 60 megahertz channels are offset from existing channels upward by 4.945 megahertz.<sup>7</sup> In the 11 GHz band, the 80 megahertz channels are offset from existing channels downward by 10 megahertz.<sup>8</sup> In each case, the offset results in inefficient spectrum usage because the wider channels overlap with three narrower channels, which reduces the ability to coordinate multiple operations in the same area.<sup>9</sup> In contrast, if the wider channels were aligned with the narrower channels, each wider channel would overlap only with two narrower channels. By changing the center frequencies specified in the rule, we can match up the wider channels with the narrower channels. The center frequencies specified in the Appendix will align the wider channels with narrower channels.

4. As an example, the table below shows the band plan adopted in the *Wireless Backhaul 2<sup>nd</sup> R&O* for a portion of the 11 GHz band, including the misalignment between the 40 megahertz channels and the 80 megahertz channels:



In contrast, under the band plan we adopt today, the 80 megahertz channels align with the 40 megahertz channels:



<sup>5</sup> *Id.* at ¶ 47.

<sup>6</sup> *Id.* at Appendix A, adopted 47 C.F.R. § 101.147.

<sup>7</sup> See *FWCC August 23 Ex Parte* at 2.

<sup>8</sup> See *id.*

<sup>9</sup> See *id.*

5. We act at this time in order to reduce burdens on applicants who wish to take full advantage of the opportunity to use wider channels as contemplated in the *Wireless Backhaul 2<sup>nd</sup> R&O*. Correcting the center frequencies will also provide certainty to equipment manufacturers as they develop equipment for the wider channels. Absent action now, applicants that apply for wider channels would have to either specify the offset channel center frequencies and possibly change frequencies later, or seek a waiver to use non-offset channels, which would delay their ability to commence service. We see no reason to delay action to correct our rules. Accordingly, we amend Section 101.147 of the Commission's rules as described in the attached Appendix in order to correct the center frequencies for 60 megahertz channels in the Lower 6 GHz band and for 80 megahertz channels in the 11 GHz band.

6. The actions contained herein have not changed our Final Regulatory Flexibility Analysis (FRFA), which was set forth in the *Wireless Backhaul 2<sup>nd</sup> R&O*. Thus, no supplemental FRFA is necessary. In addition, the action contained herein has been analyzed with respect to the Paperwork Reduction Act of 1995 (PRA) and found to impose no new or modified reporting and/or recordkeeping requirements or burdens on the public.

7. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, 47 U.S.C. § 154(i), and Section 1.108 of the Commission's Rules, 47 C.F.R. § 1.108, that the *Second Report and Order, Second Further Notice of Proposed Rulemaking, Second Notice of Inquiry, Order on Reconsideration, and Memorandum Opinion and Order, FCC 12-87*, IS MODIFIED as set forth herein.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

## APPENDIX

## Final Rules

§ 101.147 Frequency assignments.

\* \* \* \* \*

(i) 5,925 to 6,425 MHz. 60 MHz authorized bandwidth.

\* \* \* \* \*

(9) 60 MHz bandwidth channels:<sup>1</sup>

Transmit (receive) (MHz)	Receive (transmit) (MHz)
5960.025	6212.065
6019.325	6271.365
6078.625	6330.665
6137.925	6389.965

<sup>1</sup> The highest available channel should be selected, except where such a choice would impede the efficiency of local frequency coordination efforts.

\* \* \* \* \*

(o) 10,700 to 11,700 MHz. 80 MHz authorized bandwidth.

\* \* \* \* \*

(8) 80 MHz bandwidth channels:<sup>1</sup>

Transmit (receive) (MHz)	Receive (transmit) (MHz)
10755	11245
10835	11325
10915	11405
10995	11485
11075	11565
11155	11645

<sup>1</sup> The highest available channel should normally be selected, except where such a choice would impede the efficiency of local frequency coordination efforts.

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