

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Part 90 Conditional Licensing Authority ) RM-11722  
Above 470 MHz )

To: Chief, Wireless Telecommunications Bureau  
Chief, Public Safety and Homeland Security Bureau

**COMMENTS  
OF THE  
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its comments in response to the Public Notice<sup>1</sup> seeking comment on the Land Mobile Communications Council (“LMCC”) Petition for Rulemaking seeking expansion of conditional licensing authority under Section 90.159 of the Commission’s rules to the 470-512 MHz, 806-824/851-866 MHz, and 896-901-935-940 MHz bands.<sup>2</sup> EWA strongly supports the RM Petition and urges the FCC to initiate a rulemaking proceeding consistent with it as promptly as possible.

EWA is a national trade association representing many business enterprises, wireless sales and service providers, hardware and software system vendors and technology manufacturers. The Alliance also is an FCC-certified Frequency Advisory Committee (“FAC”) that coordinates and files several thousand Part 90 applications each year. As a FAC, EWA is a member of the LMCC

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<sup>1</sup> Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Seek Comment on Land Mobile Communications Council Petition for Rulemaking Regarding Conditional Licensing Authority above 470 MHz, and Deny Request for Extension of Temporary Waiver, *Public Notice*, RM-11722, DA 14-867 (June 23, 2014) (“Public Notice”).

<sup>2</sup> Land Mobile Communications Council, Petition for Rulemaking In the Matter of Expansion of Conditional Licensing Authority under FCC Rule Section 90.159 of Part 90 Bands: 470-512 MHz, 800 MHz, and 900 MHz (filed May 15, 2014) (“RM Petition”).

and endorses its proposal to extend this more flexible licensing procedure to the Part 90 bands identified.

The RM Petition explained that the rationale for limiting conditional licensing authority to the Part 90 bands below 470 MHz no longer is applicable. In fact, the current rules governing frequency assignments in the 150-174 MHz and 450-470 MHz bands require a more challenging technical analysis than the co-channel mileage separations generally applicable to applications in the bands where conditional licensing is not authorized. LMCC also noted that experience with the extension of this authority to the higher bands pursuant to the waiver granted in 2013 and subsequently extended through June 30, 2014<sup>3</sup> has confirmed that allowing conditional licensing for applications above 470 MHz will not create licensing issues or increase the likelihood of co-channel conflicts in those bands.

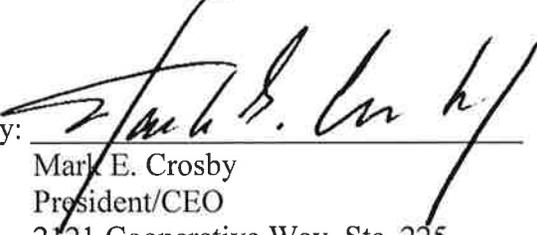
Extending conditional licensing authority to entities with qualified applications in the 470-512 MHz, 806-824/851-866 MHz, and 896-901-935-940 MHz bands will enable this spectrum to be placed into operation more quickly, which serves the public interest. It is supported by the FACs that comprise the membership of the LMCC, organizations that are well-qualified to assess whether this licensing option can be implemented in these bands without presenting difficulties.

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<sup>3</sup> See Enterprise Wireless Alliance, *Order*, 28 FCC 13910 (WTB MD 2013); see also Enterprise Wireless Alliance, *Order*, 28 FCC 17103 (WTB MD 2013).

EWA urges the FCC to proceed promptly in taking steps needed to implement the rule change proposed by the LMCC.

**ENTERPRISE WIRELESS ALLIANCE**

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