

April 19, 2006

Mr. Larry Shaw
Director General
Telecommunications Policy Branch
Industry Canada
300 Slater Street
Ottawa ON K1A 0C8

EMAILED TO: wireless@ic.gc.ca

Dear Mr. Shaw,

**Re: Comments - *Canada Gazette* Notice: DGTP-004-05
Proposals and Changes to the Spectrum in Certain Bands
Below 1.7 GHz**

Pursuant to the procedures provided in *Canada Gazette*, Part I, Notice DGTP-004-05 (the Notice), dated November 29, 2005, the Canadian Wireless Telecommunications Association (CWTA) is pleased to file the following comments regarding the above noted proceeding.

In the Notice, the Department has, among other things, proposed the designation and licensing of the band 1670-1675 MHz for flexible mobile and fixed service applications. The Department has invited comments on this proposal as well as on the timing of a licensing process.

The Department has noted that it has already entered fixed and mobile allocations into this band and that the same band has been designated and licensed in the US for flexible use by fixed and mobile services under a nationwide licence to provide innovative wireless distribution services.

CWTA generally agrees that harmonization with the US is ideal since it can result in access to technology that is readily available and economic. However, it is not clear at this time that the 1670-1675 MHz band will prove to be a viable and economic alternative for the provision of wireless distribution applications.

For example, CWTA understands that Crown Castle Corporation, which has been licensed in this band in the US for some time, has yet to deploy a commercial service and is still seeking partners with which to launch its service using Digital Video Broadcast Handheld (DVBH) technology.

In fact, a number of different spectrum bands and technologies are currently being considered for similar applications in the US, Europe and the Far East. Qualcomm Inc. has been licensed in the ultra high frequency (UHF) television (TV) band and has publicly announced its intention to operate a nationwide mobile TV service in partnership with any interested service providers using Media Forward Link Only (Media FLO) technology developed by Qualcomm.

Apart from these examples, CWTA understands that there are at least four competing technologies that are being developed for the provision of these services using a variety of bands such as the band 470-710 MHz, the "S" band, "L" band, and the bands 2500 MHz and 2600 MHz.

Clearly, service offerings using the lower frequency bands will have an advantage over those that operate using higher frequencies since fewer radio base stations will be required to cover a given area using lower frequencies. While, as noted above, the US has already taken steps to reallocate and license some of the UHF TV band for commercial mobile services, it is still not clear if and when this spectrum will be reallocated and licensed for commercial mobile services in Canada. Further, the Department has not yet published a final allotment plan for digital television. These open issues make it difficult to assess the viability of the band 1670-1675 MHz for the provision of the proposed services.

In light of these ongoing developments and uncertainties, CWTA believes that it would be premature for the Department to designate and license the band 1670-1675 MHz as proposed, until the situation is clarified. CWTA also recommends that the Department consider the UHF TV transition in the context of emerging mobile TV services and take steps to determine the extent to which it will reallocate some of the UHF TV spectrum and the timing of a licensing process.

In the alternative, if the Department elects to move forward with the designation and licensing of the band 1670-1675 MHz, then CWTA believes that the Department should seriously consider licensing the band to a single consortium of service providers. Taking this action would only help the viability of a service offering in this band by ensuring that a number of service providers and their respective customers would have access to the service. This approach would also overcome the significant practical draw-back that the band is not large enough to divide and license to multiple licensees.

CWTA appreciates this opportunity to provide its comments to the Department.

Please do not hesitate to contact the undersigned if you have any questions regarding our position.

Sincerely,

Filed electronically

J. David Farnes
Vice President,
Industry and Regulatory Affairs