

Submitted 2009 July 17 by Manitoba School Incumbent Licensees.

OVERVIEW – 2.5 GHz INCUMBENT LICENSEES, MANITOBA SCHOOL DIVISIONS

Manitoba School Divisions commend Industry Canada for engaging in this open and democratic process. Our MB school incumbent group recognizes that we are a “small cog in a very large wheel” and that we should not prevent the implementation of widespread and cost-effective mobile broadband radio services across Canada. In time, we will benefit from the proposed broadband mobility. However, we are entrusted with protecting and advancing the interests of our public, non-profit, school consumers of this Canadian “natural resource”.

Manitoba schools have been active consumers of MCS radio spectrum since 1968, long before ANY of the commercial incumbents commenced operations in this spectrum or demonstrated any interest in the intrinsic benefits of this band. After 41 consecutive years, Manitoba schools continue to occupy this spectrum very actively in a number of ways, originally to distribute one-way analogue instructional TV but now moving to a bi-directional, all-digital and all-IP content and delivery.

Not all MB schools use this spectrum but many more are now interested in doing so. At present, there are 5 grandfathered, incumbent school divisions participating in the Stakeholder Proposal Development (SPD) process, managed by Industry Canada. The incumbent school operators in this spectrum (listed alphabetically) are: Border Land, Hanover, Prairie Rose, Prairie Spirit and St. James-Assiniboia School Divisions. *Maps and locations of affected schools and school populations are available to illustrate the extent of the school incumbents’ operations and long-term commitment.*

The key requirements for our not-for-profit, Manitoba school incumbents remain:

- a. Leave undisturbed the school incumbents who cannot yet migrate elsewhere within the 2.5 GHz band or to another equivalent band.
- b. Accommodate a made-in-Manitoba solution that also allows some of the incumbent schools to upgrade their current networks with a transition plan - first into the 2.5 to 2.7 GHz mid-band using TDD radios, then when available and field proven, later into the FDD portions – if needed, sustainable, and non-interfering.
- c. Establish and maintain a cooperative partnership with a Manitoba commercial partner, which has similar provincial interests and which can assist Manitoba incumbent school licensees with equipment purchases, possible tower co-location; with maintenance and operations training; with network management, etc.
- d. We endorse the “ITU band plan” which provides for 70 MHz (lower segment FDD mode) paired with 70 MHz (upper segment FDD mode) plus 50 MHz of TDD mode in the middle band segment. However, implementation of that band plan will require a lengthy and supported transition for some of our member schools.

The Industry Canada consultative process currently underway has invited comment from stakeholders and other interested parties. MB schools have reviewed all submissions to date. We have elected to “reply” to those comments in the chart below. In addition to these reply comments, there are many assertions and suggestions, notably from the commercial interests outside Manitoba, that we could challenge but time and resources

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require us to focus only on defending our position.

	Comment From	Stance on MB Schools: Supportive or Non-Supportive or No comment	MB Schools “Reply Comments”
1	ABC Communications	Supportive. Existing licenses should be eligible for conversion.	We commend ABC for that stance. We also commend ABC for “raising the accessibility bar” by asking, on behalf of all Canadians – not just those actively involved at this early stage: <i>“In upcoming spectrum allocations, we hope that IC continues to consider the digital divide in formulating future licencing policies.”</i>
2	Bell Canada	Not supportive. <i>These licensees should be grandfathered on a no-protection, no-interference basis and subject to displacement as required to allow for the introduction of BRS.</i>	Bell Canada chose to ignore the schools’ very real spectrum requirements, very real financial constraints, and very limited spectrum alternatives. We consider that stance to be unacceptable and not consistent with the Canadian practice of sharing “natural resources” in a balanced manner between the public and business sectors.
3	Bragg Communications Inc.	No comment about MB schools.	
4	Cablevision TRP-SDM Inc.	No comment about MB schools.	
5	Craig Wireless systems Ltd.	Supportive of schools’ continued operation in the restructured band. Agree that school incumbents should be allowed the option to convert to BRS operations.	We commend CWS for that stance. It is refreshing to note that a well-established commercial Manitoba incumbent is willing to co-exist with the non-profit educational school incumbents.
6	Ericsson Canada	No comment about MB schools.	
7	Intel. Corp.	Not supportive.	Intel. Corp. (a USA corporate entity)

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		<i>Intel recommends that the <u>commercial</u> MCS licensee be eligible for conversion to BRS.</i>	<p>chose to ignore the Manitoba schools' very real spectrum requirements.</p> <p>We find that stance to be unacceptable and not consistent with the Canadian practice of sharing "natural resources" between the public and business sectors.</p>
8	Look Communications	<p>Not supportive.</p> <p><i>Look submits that the schools should be transitioned to new frequencies outside the BRS band.</i></p>	<p>Look's stance is a bit more measured than other opponents to the MB schools but not consistent with the Canadian practice of sharing "natural resources" between the public and business sectors.</p> <p>MB Schools require protection from escalating RF pressure in the "unlicensed bands" and our schools require the ability to operate without "fee for service" network contracts.</p>
9	Martin Catudal	No comment about MB schools.	
10	Manitoba School Divisions	Obviously supportive of our non-profit incumbents' continued operation in this very desirable RF spectrum but also supportive of an in-band co-existence by both the commercial and non-commercial sectors.	<p>For details, refer to our original "comment". We recommend public-private BRS coexistence.</p> <p>We note that several incumbents and lobby groups urge a rapid implementation of the BRS process (by March 2011). MB Schools can support that expedited date for commercial systems <u>but do not support having to abandon our current operations and our urgent implementation plans within such a short time frame.</u></p> <p>Some of our members will need several years to accomplish the transition to the new band plan and new operating modes. Some others are ready to adjust their in-band operations immediately.</p>
11	MTS Allstream Inc.	<p>Not supportive.</p> <p><i>MTS Allstream recommends that existing licensees in Manitoba be subject to the transition policy, i.e. Option 2, and be required to comply with</i></p>	<p>MTS' business practice, as a Manitoba crown corporation in years past, provided a popular balance between serving the public good and maintaining sound business practice.</p> <p>Most notably, during Project IDA</p>

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		<i>the terms and conditions of a BRS license</i>	<p>(early '80s), MTS and MB schools were closely associated with one another in a real “quantum leap” in telecommunications. Now, at this critical juncture - as we prepare for another quantum leap in telecommunications, that spirit of public-private partnership appears to have dissipated at MTS.</p> <p>We invite MTS to re-consider its position.</p>
12	Prairie Spirit School Division	Supportive, specifically invoking their grand-fathering provision.	<p>PSSD is one of the 5 MB school incumbent licensees and has been consulted very extensively.</p> <p>The other MB school incumbents strongly support PSSD’s continued operation, as is, <u>in this spectrum</u>.</p>
13	Radio Advisory Board of Canada (RABC)	<p>Semi-supportive.</p> <p><i>All MCS licensees in Manitoba should become eligible for new BRS licenses once the band plan is finalized.</i></p> <p><i>...in cases where large blocks of spectrum are used by the school boards, or for smaller blocks used in or near urban areas, these incumbents should be encouraged to transition to a BRS-compatible band plan.</i></p>	<p>MB schools agree with the <u>majority</u> RABC view that MB schools’ continued presence in this band should be BRS-compatible.</p> <p>MB Schools note the <u>minority</u> view of Bell and Rogers that MB Schools should be displaced from this spectrum; should not be allowed to convert to BRS licenses; should have their spectrum reassignment paid for from the proceeds of auction.</p>
14	SaskTel	No comment about MB schools.	<p>MB Schools note Sasktel’s comment: “SaskTel also recommends that incumbent operations in the band should only be displaced when necessary. Transition should only be initiated when a new BRS spectrum license holder discloses firm plans to launch service in a given area, and that the incumbent operations will block introduction of the new BRS service.”</p>
15	SSI Micro Ltd.	No comment about MB schools.	<p>MB school incumbents note and support SSI’s statement:</p> <p><i>“SSI requests that it be allowed to convert its MCS licenses to BRS voluntarily on a community-by-community basis to BRS up to March 31, 2021, at which time the conversion of any remaining</i></p>

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			<i>MCS licenses would be converted to BRS licenses on a mandatory basis.”</i>
16	Telus Communications Company	<p>Not supportive.</p> <p>Several comments about, or having direct negative impact on, MB schools continued operation in this spectrum.</p>	<p>MB schools strongly disagree with 3 major assertions from Telus (in italics).</p> <p><i>“TELUS recommends that the Department: Require that ALL incumbents be relocated out of the clawback bands prior to Mar 31, 2011. “</i></p> <p><i>TELUS respectfully submits that the spectrum of the Manitoba school boards and the commercial MCS licensees be made subject to the transition policy according to the band plan adopted for this spectrum and that this occurs on the recommended transition date of March 31, 2011.</i></p> <p>Those transition stipulations would destroy the MB schools continued operation in this vital spectrum. Further, such assertions without provision of reasonable alternatives, displays a crassly business-based approach to the public Canadian natural resource at 2.5 to 2.7 GHz.</p> <p><i>If this spectrum is not subject to transition there will be no spectrum in this band available for non-incumbents and therefore no truly national service possible.</i></p> <p>Telus ignores the stated intention of the MB school incumbents to co-exist in a rational manner with BRS. Most of us will transition to TDD in mid-band initially then move into a shared FDD operation only if/when that proves necessary and sustainable. MB schools’ operations in this band will not prevent Telus from bidding on FDD spectrum in Manitoba and attempting to compete with other national carriers.</p>
17	Wireless Communications Association International (WCAI)	No comment about MB schools.	<p>MB schools note that the US-based WCAI provides some useful bandwidth-usage data and that they recommend 30 MHz blocks to provide</p>

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			for expected user growth. We do not support WCAI’s assertion that TDD and FDD operations be used <u>anywhere</u> in the new band, with those decisions made by licensees. <u>MB schools support the 70-50-70 model within the ITU band plan.</u>
18	WiMAX Forum	Not supportive. <i>The WiMAX Forum recommends that <u>commercial</u> MCS licensees in Manitoba become eligible for new BRS licenses once the band plan is finalized.</i>	MB schools are not commercial incumbents. The WiMax forum appears to disregard the MB schools pioneering efforts to use this RF band for the public good... suggesting that only for-profit operations be permitted in this Canadian “natural resource.”

End of reply comments from incumbent Manitoba School Divisions.