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10 September 2010

by Email

Mr. Peter Hill
Senior Director - Spectrum Management Operations
Radiocommunications and Broadcasting Regulatory Branch
Industry Canada
300 Slater Street
Ottawa, ON K1A 0C8
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Dear Mr. Hill:

Subject: *Canada Gazette, Part I, 12 June 2010 - DGSO-001-10 – Consultation on changes related to the band plan further to Consultation on Transition to Broadband Radio Service (BRS) in the Band 2500-2690 MHz, Canada Gazette, Part I, 14 March 2009 - DGRB-005-09 – MTS Allstream comments*

1. Pursuant to (i) Gazette Notice No. *SMSE-013-10 — Extension to the comment period for Part B of the document*, and to (ii) the paper (Consultation Paper) titled *Notice No. DGSO-001-10 — Decisions on the transition to Broadband Radio Service (BRS) in the band 2500-2690 MHz and consultation on changes related to the band plan*, MTS Allstream Inc. (MTS Allstream) hereby submits its comments on the issues and questions addressed by Industry Canada in this consultation.
2. MTS Allstream again welcomes the opportunity to address the transition of 2500-2690 MHz to BRS, and again emphasizes that the transition to BRS should be discussed in the context of the current wireless landscape in Canada, as well as the anticipated auction of new spectrum in the 700 MHz frequency band. MTS Allstream also looks forward to reviewing the Department's decision paper concerning the conditions of licence related to Research and Development, as proposed for BRS.
3. MTS Allstream, having participated in the consultation on the transition to BRS (*DGRB-005-09*), supports the Department's decisions with respect to matters addressed in Part A of the Consultation Paper relating to a moratorium on new applications for

broadcasting certificates in the band 2500-2690 MHz, the establishment of 31 March 2011 as the firm transition date to BRS licenses, and eligibility criteria.

4. MTS Allstream further generally supports the Department's proposals in Part B of the Consultation Paper, with the exception of the Manitoba-specific proposals, as more fully discussed below.

COMMENTS REGARDING THE BAND PLAN

Given the benefits of the internationally harmonized band plan, Industry Canada proposes to adopt the Option 2 model of the band plan for BRS in the band 2500-2690 MHz. The Department seeks comments on its proposal to adopt the Option 2 model and on the following related elements:

5. MTS Allstream agrees with the Department's reasons for *not* harmonizing with the US band plan (Option 1), and with the Department's proposal to harmonize with the international band plan (Option 2). As stated in MTS Allstream's comments in response to *DGRB-005-09*, harmonizing with the international band plan will enable Canadian mobile carriers to benefit from the economies of scale that are derived from similar technologies deployed in the same frequency bands on a worldwide basis. MTS Allstream also agrees with all of the additional reasons favouring Option 2 over Option 1, as articulated by the Department in the Consultation Paper, namely that implementing Option 2 would not require large geographic separations between operators using the same frequency, and would (i) allow the deployment of both frequency division duplex (FDD) and time division duplex (TDD) systems; (ii) promote greater spectral efficiency; (iii) permit global harmonization; (iv) facilitate equipment compatibility; and (v) allow access to a wider range of services and applications.

1. Should operation of the TDD systems be permitted in the FDD portion of the band plan and, if so, under what conditions?

6. TDD systems should *not* be permitted in the FDD portion of the band plan. Permitting TDD systems in the FDD portion would lead to interference and thus require allocation of additional guard bands, which guard bands would be an inefficient use of spectrum. The allocation of 50 MHz of TDD spectrum from 2575 MHz to 2615 MHz should be more than sufficient spectrum to support any existing and anticipated TDD system demand.

2. Should the guard band blocks 2570-2575 MHz and 2615-2620 MHz be held in reserve by Industry Canada or should they form part of the unpaired block (TDD)?

7. The guard bands should be held in reserve by Industry Canada to ensure there is no interference between TDD and FDD frequencies.

3. If the guard bands are to be held in reserve, should they be considered for future use by licence-exempt wireless systems?

8. In MTS Allstream's view, if the guard bands are to be held in reserve, they should not be considered for future use by licence-exempt wireless systems since such use has the potential of causing the very kind of interference that the reservation of guard bands is meant to avoid. In the even that the guard bands are nonetheless considered for future use by licence-exempt wireless systems, the guard bands should not be used for high-power broadcast applications, which are the most likely to cause harmful interference.

Please provide comments on any additional technical details related to the band plan which are not addressed above.

9. MTS Allstream has no comments on the technical details at this time.

REGARDING MAPPING INCUMBENTS INTO OPTION 2 BAND PLAN

9.1 Regions where the Department holds the MDS spectrum: *The Department proposes to mandate the exchange of 20 MHz of the MDS spectrum held by Industry Canada for 20 MHz of the MCS spectrum licensed to the MCS incumbent as indicated in Figure 5. Industry Canada seeks comments on this proposal.*

10. The Department continues to hold the MDS spectrum in many rural areas of the country. MTS Allstream agrees with the Department's proposal to mandate the exchange of incumbents' single block of 40 MHz to two FDD blocks of 20 + 20 MHz in these areas. This would maximize the utility of the paired spectrum that would become available for auction.

9.2 Regions where MCS and MDS incumbents hold portions of spectrum: *Industry Canada seeks comments on whether government intervention is required where there are different MCS and MDS incumbents in the same geographic areas.*

11. MTS Allstream agrees that the government should intervene to directly reassign the spectrum in the typically urban areas of the country where MCS and MDS incumbents hold portions of the spectrum. This is both necessary and desirable to maximize the amount of usable spectrum for both incumbents are for auction purposes.

9.3 Effective use of the unpaired (TDD) block: *The Department seeks comments on the challenges faced by more than one operator in making efficient use of the TDD block. Should Industry Canada rely on market forces or should it develop specific technical rules to facilitate coexistence between two or more operators and alignment with the Option 2 Band Plan?*

12. MTS Allstream supports relying on market forces for the most effective and efficient allocation of the TDD block. Given that the spectrum will be transferable, divisible and assignable, licensees should be able to resolve any usage concerns between operators in the TDD block. Furthermore, an additional guard band in the middle of the TDD block would represent an inefficient use of spectrum. Accordingly, MTS Allstream does not support reserving a guard band between TDD blocks.

9.4 Manitoba: *The Department proposes to mandate the exchange of 20 MHz of the MDS spectrum for 20 MHz of the MCS spectrum as indicated in Figure 10. Industry Canada seeks comments on this proposal.*

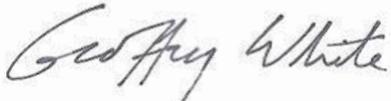
13. In our 15 June 2009 comments in the consultation on the transition to BRS (*DGRB-005-09*), MTS Allstream recommended that, rather than being grandfathered, existing licensees in Manitoba be subjected to a transition policy and be required to comply with the terms and conditions of a BRS licence post March 31, 2011 and return the appropriate portion of the spectrum they currently hold within the 2.5-2.690 GHz band, as per the Department's transition policy.
14. Grandfathering site-specific licenses in Manitoba in the manner planned by the Department will impair the development of broad-based mobility applications. Furthermore, any successful bidder for the auctioned portion intending to make full and effective use of its investment would necessarily face the uncertain step of having to

secure the grandfathered licenses. Finally, indefinite grandfathering overlooks a number of cost-effective, innovative alternatives that could meet the school divisions' needs. As such MTS Allstream continues to recommend that existing MCS licensees in Manitoba instead be subject to a transition policy to return the MCS spectrum before the planned BRS auction.

9.5 Timing: Industry Canada is seeking comments on the timing aspects related to the physical migration of the existing network facilities to the new band plan, including the timing required for the completion of all transactions regarding spectrum exchanges.

15. As stated in *DGRB-005-09*, MTS Allstream submits that the drivers of the timelines should be the requirements of the overall Canadian industry for additional mobile spectrum. MTS Allstream continues to recommend that the Department give incumbents as much time as is reasonably necessary to migrate to the new band plan.

Yours truly,



for Teresa Griffin-Muir
Vice President, Regulatory Affairs

c.c.: Geoffrey White, MTS Allstream

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