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October 26, 2006

Mr. Len St. Aubin
Director General
Telecommunications Policy Branch
Industry Canada
300 Slater Street
Ottawa, ON K1A 0C8

Dear Mr. St. Aubin:

Re: Gazette Notice No. DGTP-006-06
Proposed Spectrum Utilization Policy,
Technical and Licencing Requirements for Wireless Broadband Services
(WBS) in the Band 3650 – 3700 MHz

I am writing on behalf of AirTV Satellite Services Ltd. (“AirTV”), which has applied to Industry Canada to launch and operate three satellites in geostationary orbit to provide TV and internet access services to aircraft. Although the AirTV satellites will operate in S-band and not in C-band, the subject of the present consultation, AirTV is concerned that satellite operators generally be treated equitably, and with no less concern for the integrity of their signals than is the case for terrestrial operators.

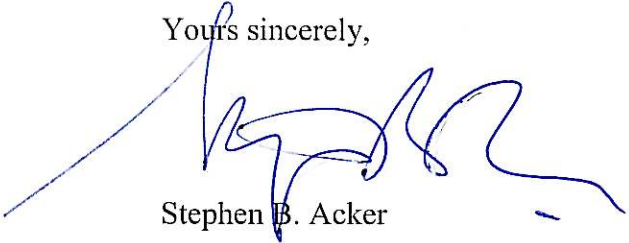
AirTV is one of the founding members of the Canadian Satellite and Space Industry Forum (“CSSIF”) and has had the benefit of reviewing a draft of its submission on this Gazette Notice. AirTV fully agrees with the tenor of that submission, with its conclusions that a range of measures should be taken to protect FSS receivers operating in the 3700-4200 MHz band. C-band is still very much a work-horse band for FSS communications in Canada, and the many hundreds of receivers, many of them in urban centres, need appropriate protection from WBS systems operating in the adjacent band.

We understand that the proposals for accommodating new wireless broadband services in the 3650 to 3700 MHz band are, to some extent, driven by the desirability of harmonizing Canadian spectrum policies with those in the U.S. Harmonization with the U.S. is often desirable for reasons with which we are all familiar. However, there are occasions where harmonization to the fullest extent with the U.S. is not desirable, either because our situation in Canada is different, or we wish to encourage a result different from what obtains, or is likely to

obtain, in the U.S. As the CSSIF submission points out, the C-band environment in Canada is quite different from that in the U.S. Accordingly, we need a made-in-Canada solution that recognizes those differences, and introduces the new wireless service into the band in question in ways that will fully protect the particular deployment of C-band receivers in Canada.

Thank you for the opportunity to comment,

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Stephen B. Acker', is written over the typed name. The signature is stylized and cursive.

Stephen B. Acker

cc: Members of CSSIF