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January 14, 2005

Mr. Fern Léger
Director of Spectrum and Radio Services
Industry Canada
Room 1611A
300 Slater Street
Ottawa, Ontario K1A 0C8

Dawn Hunt
Vice-President
Government & Inter-carrier Relations

[Emailed to: wireless@ic.gc.ca](mailto:wireless@ic.gc.ca)

Dear Mr. Léger;

Re: ***Canada Gazette Notice: DGTP-008-04
Comments on the Revisions to Spectrum Utilization Policies
in the 3-30 GHz Frequency Range and Further Consultation***

Pursuant to the *Canada Gazette*, dated October 1, 2004, Rogers Wireless Inc. is pleased to file the attached comments regarding the above noted proceeding.

The comments are submitted in Adobe Acrobat Portable Document Format (PDF) version 5.0 software. The operating system used by the originating computer is Microsoft Windows XP Professional.

If there are any questions regarding these comments, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Hunt", written over a light blue horizontal line.

Dawn Hunt
DH:gt

Attach.

Department of Industry

**REVISIONS TO SPECTRUM UTILIZATION POLICIES IN THE
3-30 GHz RANGE AND FURTHER CONSULTATION**

DGTP-008-04

**COMMENTS OF
ROGERS WIRELESS INC.**

January 14, 2005

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EXECUTIVE SUMMARY

1. Rogers Wireless Inc. ("RWI") is pleased to submit the following comments in response to the public consultation initiated by the Department of Industry ("the Department"), published in the *Canada Gazette*, dated October 1, 2004, entitled '**Notice No. DGTP-008-04 – Revisions to Spectrum Utilization Policies in the 3-30 GHz Frequency Range and Further Consultation**' ("the Consultation Paper").
2. In the Consultation Paper, the Department has invited public comments on a number of spectrum utilization policy proposals that have been put forward by the Department.
3. Rogers Wireless Inc. ("RWI") is a leading Canadian wireless communications service provider, which serves over 5 million customers of wireless voice, data, and messaging services and provides coverage to over 93% of the Canadian population. RWI has been granted spectrum licences for radio frequencies in the 800 MHz and 1900 MHz frequency bands, as well as a number of other bands.
4. RWI generally supports harmonization with the US and Europe, to facilitate access to high-quality technologies and best practices, so that Canadians in general and licensees in particular may benefit from the services which they bring.
5. RWI supports the policy whereby the licence holder may select the specific technology to be implemented within the licensed spectrum.
6. RWI has considerable amount of installed assets operating in the 5850-5925 MHz band and believes that given the low level of maturity and demand of Dedicated Short Range Communication / Intelligent Transportation Systems (DSRC/ITS) systems, that it is premature and not necessary to impose restrictions on the use of this band or to require the displacement of Fixed Services (FS) licensees in this band. Instead, the Department should coordinate the use of frequencies within this band on a case-by-case basis.

DETAILED COMMENTS**Background**

7. In the Consultation Paper, the Department states that changes are occurring in the spectrum range, necessitating a review of the spectrum policy. The Consultation Paper outlines current spectrum planning activities and proposes footnotes to establish the relationship between the various allocations.

Harmonization with the US and Europe

8. In general, RWI supports the harmonization of allocations and band plans with that of the US and Europe. This approach ensures that Canadians in general and licensees in particular, will continue to have access to technologies and best practices that facilitate services that are of high quality, are feature-rich, available in scale, are cost effective, and those that will add value through such synergies as enabling roaming.

Licence Policies

9. RWI supports the view that it is important to license spectrum in a fair and impartial manner. The existing *Spectrum Policy Framework* adopts this view and states the following:

"The Department may choose to initiate a competitive licensing process in situations where there is, or likely to be, more demand for radio frequency spectrum than the supply of spectrum available for use in a given frequency band¹"

10. RWI notes that, in recent years, the Department has granted flexibility to licensees with respect to the specific technology they use to provide the services for which the spectrum has been allocated. For example, mobile spectrum licensees in the Cellular and PCS bands are free to employ any of a number of digital technology options that are available, which include TDMA, GSM, CDMA, and more recent variants. RWI believes that the specific technology selection process should remain with the licence holder. This will ensure that market forces will continue to determine the technology and services that are provided and that affordable and high quality services will be available to Canadians.

Intelligent Transportation Systems in the Band 5850-5925 MHz

11. The Department has added a mobile allocation to the band 5850-5925 MHz, and has designated it for use by Dedicated Short Range Communication systems (DSRC) to support Intelligent Transportation System (ITS) applications in fixed and mobile services. The Department has stated that new point-to-point fixed systems wanting to use the band in accordance with the existing guideline will be encouraged, to the extent practicable, to use spectrum in the adjacent band 5925-6425 MHz. The Department is seeking comments to determine the precise definition and use and eligibility for use of ITS applications in the future, including any necessary provisions for

¹ A *Spectrum Policy Framework for Canada* (2002 Revised Edition) (SPFC June 2002), Industry Canada, June 2002, p. 13.

transition.

12. RWI has a considerable amount of installed and operating fixed wireless systems within the 5850-5925 MHz band. These fixed wireless systems provide important network connections to enable mobile services in rural and remote areas, which in turn contribute to consumer choices of telecommunication service providers and provide affordable service to Canadians in general. Given the low level of maturity of the DSRC/ITS market and technology and its low demand for spectrum, it is premature to impose restrictions on, or to require the displacement of, incumbent fixed services (FS) systems within the band.
13. RWI is not aware of any studies that the Department has undertaken to determine the impact of DSRC interference on fixed systems and requests that the Department undertake a study if it has not already done so. As an incumbent FS licensee, RWI is concerned about the potential impact arising from DSRC systems upon incumbent fixed systems.
14. RWI submits that it is premature and not necessary to issue a moratorium on the licensing of point-to-point fixed systems at this time. It is also premature to issue blanket displacement policies between DSRC and fixed systems at this point in time.
15. RWI submits that, until DSRC applications achieve a higher level of development and deployment, spectrum co-ordination between DSRC and fixed services systems should be accomplished on a case-by-case basis.

CONCLUSION

16. RWI has a considerable amount of installed fixed systems in the band 5850-5925 MHz. That band has been designated for use by the Department for DSRC systems. RWI believes that incumbent fixed services systems should continue to be permitted to operate within the band without restrictions or displacement. Until the DSRC system technology is more widely used, and its demand for spectrum increases, then frequency co-ordination between DSRC and fixed services systems should be undertaken on a case-by-case basis.
17. RWI supports the harmonization of allocations and band plans with that of the US and Europe. This approach ensures that Canadians in general and licensees in particular, will continue to have access to technologies that facilitate services that are of high quality, are feature-rich, available in scale, cost effective, and will enable roaming.
18. RWI appreciates this opportunity to provide its comments to the Department.

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