Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)
	) File No. SES-LIC-20150616-00357
Higher Ground LLC	) Call Sign E150095
	)
Application for Blanket Earth Station License	)

COMMENTS OF THE REGIONAL WIRELESS COOPERATIVE IN OPPOSITION TO APPLICATION

The Regional Wireless Cooperative (RWC) is filing these comments in opposition to Higher Ground LLC's (HG) application for a blanket license to operate up to 50,000 mobile earth terminals for C-band operations. The RWC is a cooperative body formed under an Intergovernmental Agreement. Membership is open to all local, county, state, federal and tribal governmental entities. The RWC provides seamless interoperability for 20 cities, towns and fire districts located in the Phoenix metropolitan region by operating a wide area Public Safety network. The RWC has only recently become aware of the HG application and subsequent public notice[1] and is very concerned that this proposed use of frequencies in the 5925-6425 MHz band for mobile earth station transmission purposes will cause harmful interference to the RWC's fixed microwave facilities located within its 11,000 square mile coverage area. The RWC operates no less than 20 fixed microwave paths in the C-band, all of which carry mission critical public safety traffic. The RWC disagrees with HG's statement in its July 21, 2016 Response to FWCC[2] that input has been sought from other members of the point to point microwave community or that ample notice and opportunity has been provided for comment.

[1] *See Public Notice, FCC, Satellite Communications Services re: Satellite Radio Applications Accepted for Filing,* Report No. SES-01771 (Aug. 5, 2015) (listing Higher Ground Application IC-20150616-00357 as acceptable for filing).

[2] *See Higher Grounds Ex Parte Presentation Notification Letter* filed July 21, 2016. (Response to FWCC)

To be clear it should be noted that Public Safety entities do not typically monitor Satellite Radio Application Filings to the FCC's International Bureau. Since this is the case this matter is just now seeing the "light of day" in the public safety community which relies heavily on 6 GHz fixed microwave facilities as the back bone to link their radio networks. The RWC has invested large amounts of public tax dollars to engineer and build this infrastructure to meet 5 nines of reliability. Our wide area Simulcast networks and the first responders who rely on them deserve nothing less. Here in the Western United States 6 GHz facilities are the norm to span the long distances many of our facilities require. Due to seasonal atmospheric ducting and inversion layer anomalies 11 GHz paths simply do not work reliably enough over the longer distances required. The RWC has relied on the time proven PCN process to coordinate channels and identify potential interference. This system has worked well for the RWC which has invested its time and money in the licensing process knowing well that the path protection services provided by licensed coordinators and the security offered under the enforcement arm of the Commission would keep our networks safe. Given the mobile terminal nature of the proposed HG system public safety entities would not know about interference potential until it is encountered and would then only be left to "wonder what happened". The RWC sees this approach to waive frequency coordination as irresponsible considering the critical nature of its networks and does not wish to see the 6 GHz fixed band become "experimental" in nature. Thus the RWC requests that the Commission deny the HG application and waiver request and allow the matter to instead be studied under the full scrutiny of a rulemaking proceeding.

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