COMMENTS OF THE
NATIONAL SPECTRUM MANAGEMENT ASSOCIATION

The National Spectrum Management Association ("NSMA") hereby respectfully submits its comments on the above-captioned application and the latest Higher Ground LLC ("HG") filing\(^1\). NSMA supports the Commission’s efforts to increase microwave spectrum efficiency by addressing potential interference and frequency coordination conflicts\(^2\).

NSMA shares the concerns raised by the Fixed Wireless Communications Coalition and CenturyLink that a waiver process is not an appropriate forum to consider bypassing the significant rule sections in question. In particular, NSMA is concerned

\(^1\) See Higher Ground LLC Consolidated Opposition, IBFS File No. SES-LIC-20150616-00357 (September 23, 2015).
\(^2\) NSMA is a voluntary association of individuals involved in the spectrum management profession including service providers, manufacturers, frequency coordinators, engineers and consultants. NSMA's goal is to promote rational spectrum policy through consensus views formulated by representatives of diverse segments of the wireless industry.
about HG’s request to waive the prior coordination requirements found in Section 101.103(d). The bilateral Part 101 prior coordination process is an integral part of the Part 101 rules and has been nurtured over many years with the support and participation of industry stakeholders within NSMA. It strikes a necessary and delicate balance between supporting new uses of the spectrum and protecting existing users from harmful interference. The prior coordination process has been recognized by the Commission as a success story, significantly limiting the number of interference disputes brought before the Commission.

In contrast, HG’s self-designed and self-verified process for unilateral selection of operating parameters and frequencies cannot inspire the same confidence in fixed microwave users. At a minimum, review and approval by those potentially subject to the interference would be needed for these licensees to have faith their systems would be protected. The implications of replacing Part 101 prior coordination are too broad to consider in a mere waiver proceeding under a blanket earth station application. If the Commission decides to move forward on HG’s request, there should be an opportunity for a full and open discussion and review by all stakeholders through a formal rule making.

NSMA applauds the Commission’s efforts to optimize frequency utilization. New ideas are strongly encouraged, but proposals potentially harmful to a wide base of incumbent services should be thoroughly studied and vetted through the FCC rulemaking processes and with substantial public review. From that perspective NSMA requests the Commission give careful consideration to the foregoing comments.
Respectfully Submitted,

NATIONAL SPECTRUM MANAGEMENT ASSOCIATION

By: /s/ David E. Meyer

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October 6, 2015
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing NSMA Comments on the Consolidated Opposition of Higher Ground LLC was sent by first class U.S. Mail, postage prepaid, on this 6th day of October, 2015, to the following:

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