

# PISC Argues for Approval of AWS-4 Rules

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Representatives from a variety of public interest groups are asking the FCC to refrain from putting limitations on Dish Network's AWS-4 spectrum.

An ex parte [filing](#) [1] submitted with the FCC last week on behalf of Michael Calabrese of the New America Foundation, Harold Feld of Public Knowledge, and Matt Wood and Lauren Wilson of Free Press met as representatives of the Public Interest Spectrum Coalition (PISC), argued that imposing lower power and stringent out-of-band emission requirements on the lower boundary of the AWS-4 band would harm rather than promote competition in the wireless industry.

The comments follow a report published last week by the Wall Street Journal that claimed the FCC intends to limit Dish's 40 MHz of AWS-4 spectrum to prevent interference with the H-block, a chunk of spectrum in which Sprint has expressed interest.

Sprint has repeatedly petitioned the FCC to shift Dish Network's AWS-4 band up 5 MHz from 2000-2020 MHz to 2005-2025 MHz so adjacent H block PCS spectrum can be used for LTE.

Representatives from the PISC say that would be a mistake.

"The benefits of enhancing the value of the adjoining 5 MHz of H Band spectrum at 1995-2000 MHz, for the purpose of a future auction, appear remote and hypothetical in comparison to the immediate delay and possible loss of a market entrant," wrote Calabrese, in the filing.

The representatives noted that although Congress has mandated an H Block auction, designing service rules to maximize auction revenue appears to violate at least the spirit of Section 309's maxim that auction revenue should be secondary to broader public interest considerations.

In its own [filing](#) [2] with the FCC last week, Dish reiterated its position that should the FCC decide to side with Sprint and alter the H band, Dish's "entire wireless venture would be jeopardized."

A decision by the FCC to revise Band 23, Dish argued, would reset the process already completed by the 3GPP, which recently granted Dish technical specs for its AWS-4 spectrum.

Dish argued that Sprint's assurance that a maintenance change to Band 23 is an "expeditious" process is not credible.

"Sprint itself was able to challenge the completion of Band 23 for more than a year

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by objecting to a maintenance change and subsequently delaying Band 23 implementation," Dish wrote in the filing. "Among other things, 3GPP participants would be able to challenge the revisions and cause delay by seeking further technical studies, on top of the ordinary work that 3GPP would need to undertake to change the band."

### **Source URL (retrieved on 01/26/2015 - 1:39am):**

<http://www.wirelessweek.com/news/2012/11/pisc-argues-approval-aws-4-rules>

### **Links:**

[1] <http://apps.fcc.gov/ecfs/document/view?id=7022063930>

[2] <http://apps.fcc.gov/ecfs/document/view?id=7022061618>