

FHH Telecom Law
March 2003

**Feds Shift Spectrum
from Satellite Operators**

*By: R. J. Quianzon
703-812-0424
quianzon@fhhlaw.com*

Citing substantially higher growth in cell phone and PCS subscribers than in mobile satellite service, the FCC has re-assigned 30 MHz of satellite spectrum for terrestrial wireless use. The change takes 15 MHz from the mobile satellite uplink allocation (1990-2000 and 2020-2025 MHz) and another 15 MHz from the downlink (2165-2180 MHz). Secondary broadcast auxiliary licensees may continue to use these frequencies, so long as they do not interfere with proposed wireless services.

As part of the same proceeding, the FCC set its sights on harvesting other spectrum for the benefit of terrestrial wireless operators. It proposes to hand over unlicensed PCS spectrum at 1910-1920, which appears to be unused, and asks if it should do the same with 1920-1930 MHz. These bands are particularly attractive to wireless operators because they are adjacent to currently licensed PCS frequencies. Another 10 MHz might come from MDS and emerging technologies at 2155-2160 and 2160-2165 MHz to complement the satellite downlink frequencies referenced above.

These latest actions continue the FCC's efforts to satisfy competing uses for spectrum. No doubt they also reflect the financial difficulties of major players in the mobile satellite industry, compared with the insatiable demand for wireless phone service. Auctioning 30 MHz of spectrum to wireless phone carriers would also provide short-term revenue for the government.