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## **CII ISO 14.0-14.5 GHz For FSS**

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On May 6, 2008, Utilities Telecom Council (UTC) and Winchester Cator, LLC, filed a Petition for Rulemaking (RM-11429) requesting that the FCC commence a rulemaking proceeding to establish rules that would permit secondary terrestrial use of the 14.0-14.5 GHz fixed satellite service (FSS) band, which is the transmit or uplink portion of the Ku-band. UTC is the international trade association for the telecommunications and information technology interests of electric, gas and water utilities, pipeline companies and other critical infrastructure industries (CII).

UTC asserts that utilities are experiencing a rapidly increasing need for spectrum-based services to ensure the reliability of their services to the public. In order to meet this growing demand, UTC proposes that the FCC authorize fixed point-to-point and point-to-multipoint services for fixed and temporary-fixed stations in the 14.0-14.5 GHz band on a secondary basis. UTC asks the FCC to authorize a single nationwide CII licensee to coordinate and manage all new FS services in the band. The single licensee would be responsible for ensuring that the proposed FS services do not interfere with incumbent operations in the band. The CII licensee would work with CII entities and facilitate their access to the spectrum.

The FCC put UTC's Petition for Rulemaking on Public Notice and sought comments in support and opposition to the proposal. Comments were due June 26, 2008. UTC sought and was granted an extension of the reply comment deadline, moving that deadline to August 11, 2008.

Ku-band FSS satellite operators and users filed comments in opposition to UTC's proposal. The satellite interests claim that the proposed CII terrestrial use of the band would not protect present and future FSS operators from harmful interference. The UTC proposal was also opposed because the ITU radio regulations and table of frequency allocations will make it impossible for a second FS service to be offered in the United States in the 14.0-14.5 GHz band. There is not currently an FS allocation in the band in ITU Region 2, which includes the United States. While the United States could conceivably revise its Table of Frequency Allocations, any such revision would cause serious problems with non-U.S. satellites operating over the Americas in the Ku-band.

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Such satellites are entitled to full protection from interference from U.S. terrestrial FS stations with no ITU allocation status.

If you are interested in filing reply comments in this proceeding, please let us know.