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By Fax (2803 5112) and Email

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Telecommunications Engineer (Technical Regulation)  
Office of the Telecommunications Authority  
29/F, Wu Chung House  
213 Queen's Road East  
Wan Chai  
Hong Kong  
Attention: Telecommunications Engineer (R21)3

**Re: AT&T Comments on the Office of the Telecommunications Authority's Second Public Consultation Paper, "Licensing Framework for Deployment of Broadband Wireless Access"**

Dear Sir:

On behalf of AT&T Global Network Services Hong Kong Limited and its parent corporation AT&T Corp. (collectively, "AT&T"), I am pleased to submit AT&T comments on the Office of the Telecommunications Authority ("OFTA" or "TA") Second Consultation Paper, "Licensing Framework for Deployment of Broadband Wireless Access" ("*Consultation*"). The TA first consulted the public on the licensing framework for deployment of Broadband Wireless Access ("BWA") in December 2004. In the current *Consultation*, the TA presents his proposals for the regulatory framework for deployment of the BWA technologies.

The TA maintains his initial proposal of allocating the 3.4 – 3.6 GHz frequency band (3.5 GHz band) to BWA on a primary basis with 180 MHz of spectrum divided into six frequency blocks of 15 MHz x 2 each, catering for the licensing of a maximum of six territory-wide BWA networks, valid for a total of 15 years. The TA further proposes for public services to be offered within 2 years upon award of the BWA spectrum. In relation to this subject, the TA also proposes to issues a Unified Carrier License ("UCL") for BWA

network operators, permitting provision of fixed telecommunications services including “limited mobility” services initially, to be expanded to cover full mobility services from 2008. The licensing framework for UCL forms the subject of another current OFTA public consultation.

AT&T is in general agreement to the proposed BWA licensing framework. On the choice of frequency spectrum, the fact that substantial numbers of broadband wireless equipment are already available for operation within the 3.4 – 3.6 GHz band makes it a good initial choice and is consistent with the rest of the global allocations, notably in the European Union. That said, AT&T is of the view that in the longer term, OFTA should also seriously consider opening up the 2.4 – 2.6 GHz band for BWA operations. This particular band is likely to be the focus of future worldwide mobility capability harmonization initiatives. At lower frequencies, this band is superior from a radio propagation standpoint in that fewer base stations would be required to cover a given geographic area compared with higher frequencies, and hence at lower capital outlay. It also has the added advantage of a smaller amount of signal loss in building penetration when compared with the 3.4 -3.6 band.

The related TA proposal to not fix any guard band but instead to mandate the use of a block edge emission mask will serve to improve the efficiency of spectrum use. AT&T submits that well planned block edge masks will help operators to engineer guard bands when and where necessary without undue burden on their operation.

AT&T applauds the TA for sticking firmly to the principle of technology neutrality, not only in allowing for the deployment of all BWA technologies conforming to recognized open standards but also in permitting both FDD and TDD operation modes. The importance of technology neutrality in promoting innovation and technological advancement cannot be over-emphasized. AT&T submits that it is best to leave it to the BWA spectrum licensees to choose the technology solution that best meets their business model or market, on the condition that they remain fully compliant with all relevant regulatory and technical requirements.

AT&T is also supportive of the TA proposal to allow for “limited mobility” services initially, to be expanded to include full mobility services from 2008. Bands between 3.4 and 3.6 GHz have been allocated for Fixed Wireless Access in majority of the countries, with the exception of the U.S. In this regards, AT&T asserts that the focus here should be to minimize unwarranted technical and regulatory requirements that might inhibit typical BWA usage models, e.g., nomadic or portable laptop use, and overall market development.

Above all, AT&T commends the TA for once again taking the lead in proposing a light-handed and yet well-balanced BWA regulatory regime that should facilitate the building of a solid foundation for a rapid adoption of the technologies and for them to be developed into fully differentiated services at affordable prices, benefiting the Hong Kong consumers and the economy as a whole.

AT&T would be pleased to respond to any questions concerning these comments and to provide any further information that would be helpful to OFTA with respect to its current BWA licensing framework proposals. Please do not hesitate to contact me in that regard.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent Ma". The signature is fluid and cursive, with a large initial "V" and "M".

Vincent Ma