
The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, N.W.
Washington, D.C. 20554

RE: WC Docket No. 06-150; PS Docket No. 06-229; WT Docket No. 96-98

Dear Chairman Martin,

Regulators, cellular operators and nervous ISPs the world over have their eyes on the FCC as you deliberate and prepare to referee a possibly defining battle between the wireless broadband and cellular establishments even if it is at a less than ideal location on the spectrum. Google & Co. should have been this awake when the 2.5Ghz band was being auctioned.

While I am the CEO of an Asian wireless broadband operator I am also a US resident and am writing to you as a concerned consumer and on behalf of all the people working tirelessly everywhere in so many countries to enable ubiquitous true wireless broadband in the face of a powerful and recalcitrant cellular establishment. To get the definitions out of the way, by ubiquitous true wireless broadband I mean downlink speeds of at least 3 to 4 Mbits/sec to a handheld device wherever we may be on the wireless broadband provider's footprint. As against this, the prevailing 3G speeds are around 500 to 700 Kbits/sec.

Sir, the ISPs are an enervated lot. Their general penury compounded by the mobility issues blighting WiFi means wireless broadband is a hugely fragmented market with poor interconnectivity/roaming even in small cities forcing handheld device users to necessarily buy expensive airtime on souped-up cellular air interfaces for data downloads and to thumb away on band-aids like Blackberry when they should be able to directly access web content over ubiquitous true wireless broadband piped to handsets. The situation is that much more pernicious because the technology is available but possibly kept out of the consumer's reach until investment in existing air interfaces is recouped.

This core issue requiring your attention lies lost in the fastness of varied discursive arguments put before you ranging from Internet freedom to the need for managed access. Many such arguments stemming from the AT&T sponsored "Hands-Off the Internet" as well as other esteemed consultants & lobbyists have some merit but shy away from this real issue that requires just the following few bullets to surface:

- Right from the early days after its grand opening at the European auctions in 2002 3G /WCDMA consistently failed to compete effectively with

OFDMA air interface technologies like WiFi when it came to data download speeds.

- During this period WiFi caught on massively at the grass-root level and moved past critical mass even though hobbled by what we now realizes are rectifiable mobility issues.
- It is easier to resolve wireless broad band's mobility related shortcomings than attempt an increase in speeds on the thin pipes associated with 3G.
- The reason why these simple changes to enable wireless broadband mobility have dragged on and on is more due to the cellular establishment's intransigence that due to any intrinsic shortcomings in technology. The cellular establishment spent more than US\$150B worldwide on WCDMA licenses and similar loose change on deployment so the reluctance is understandable. But that shouldn't make it acceptable.
- Ergo, spectrum for wireless broadband is least likely to be used by the cellular establishment to speedily engender mobile access. Some one like Google however, is more likely to do the same be it through its own deployment or more probably by giving the spectrum to entities not beholden to an existing investment in a cellular type air interface. You could of course eliminate the putative middleman and grant spectrum to the independents yourself.

The preponderance of advantage enjoyed by an incumbent means a regulator usually fails if he remains scrupulously neutral. Be it the EU, North America, Australia, India or in Malaysia we see definitive change only happen through rulings that give a slight edge to the newcomer. In a recent auction of the 2.3Ghz band, the Malaysian Regulator MCMC disallowed the reigning cellular establishment from participating. He had good reason for his ruling as the establishment has absolutely nothing to show for their 2.5Ghz holdings of the past so many years. We would like to respectfully persuade you to factor for such precedence in your deliberations.

The cellular establishment goes to incredible lengths to protects legacy investment and eschew air interfaces that lend themselves more naturally to IP. There is no reason to think they will do anything other than prevaricate thus until legacy costs are fully amortized and beyond. They want consumers to pay for cellular airtime until their books cease demanding tithe. T-Mobile's recent Hotspot@home is a textbook case. There are a variety of ways a cellular network can be patched to a WiFi network. Unlicensed Mobile Access (UMA) is one such example where an IP Controller that does the tripe-A tasks is placed in the cellular network. The user can then roam between the WiFi and cellular networks. When he comes home for example and as long as he has registered his home WiFi router's IP address with the cellular operator, his WiFi-GSM phone automatically goes to the WiFi network and he enjoys VoIP access. Rather than deploy such an interface T-Mobile in the USA choose to "wrap GSM voice" in IP whatever that means, to avoid giving the customer true VoIP access. In this way the customer necessarily remains on the GSM network and is charged for GSM

airtime. The reason forwarded by some apologists is that VoIP has quality issues, which is utter nonsense. The same T-Mobile & its carrier interconnects cheerfully use VoIP on the trunk side to move billions of minutes globally. It's only for end-user access that these alleged quality problems surface.

We urge you to seriously consider the Google proposition not because we have any interest in Google per se but because the customer has a right to ubiquitous true broadband especially when technology exists to make it happen. The consumer should not have to depend on WCDMA/HSPDA powered thin pipes simply because the cellular establishment, with the possibly exception of Sprint, is not willing to cast aside a bad legacy investment. We sincerely feel that a party like Google or the ones Google promises to enable through acquired spectrum will do more to enable a more ubiquitous mobile access over wireless broadband than the cellular establishment and not because they are more enlightened or better corporations. It is just that at this point in time they appear to be better aligned with consumer interests.

I'll close my argument with the respectful caution that your decision besides impacting American consumers could very likely establish what happens elsewhere in the world on the matter of ubiquitous true wireless broadband. A radical departure from legacy could do wonders for the industry and that includes the cellular establishment whose own long term interests are ill-served by their present approach. We trust you shall do what is best for the American consumer and for this wonderful technology that allows us so much magic over the ether.

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cc: The Honorable Michael J. Copps, FCC Commissioner
The Honorable Jonathan S. Adelstein, FCC Commissioner
The Honorable Deborah Taylor Tate, FCC Commissioner
The Honorable Robert M. McDowell, FCC Commissioner

