

2008-09-19

IEEE L802.16-08/061

**IEEE 802.16 Working Group on Broadband Wireless Access**<http://WirelessMAN.org>

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 19 September 2008

To: Mike Lynch  
 Chair, IEEE 802.18 TAG

Subject: Comments on IEEE 802.18-08-0056/r2 ("ITU-R Regulatory Background")

Dear Mike,

The IEEE 802.16 Working Group has reviewed IEEE 802.18-08-0056/r2 ("ITU-R Regulatory Background") and is hereby submitting some comments.

The document seems to be a historical discussion regarding IMT as a basis for reaching the conclusion that "This is all regulatory in nature since the goal of the MS is that the identified spectrum, a resource of each sovereign MS, is used to the best advantage of that State." But it is also important to make clear that only some of ITU-R's work is regulatory. Much of its work, and much of the work in which IEEE has interests, is related to its development of Recommendations. These are not regulatory. This is unambiguous from the choice of the word "Recommendation". You can also see that in the first slide of the document under consideration. After discussing the Radio Regulations and the WRC, the next sentence says "Furthermore, radio standardization establishes 'Recommendations'..." This distinguishes the Recommendations from the Regulations.

Here is another quote from ITU that distinguishes the two concepts: "The ITU Radiocommunication Bureau publishes regulatory texts such as the Radio Regulations, the Final Acts of World and Regional Radiocommunication Conferences and the Rules of Procedure, as well as ITU-R Recommendations, Reports and Handbooks drawn up by the Radiocommunication Study Groups" <<http://www.itu.int/publications/sector.aspx?lang=en&sector=1>>.

To make the point more explicit, "Recommendations" are described by ITU <<http://itu.int/publications/publications.aspx?parent=R-REC&selection=6>> as "a set of international technical standards... Their implementation is not mandatory; however, as they are developed by experts from administrations, operators, the industry and other organizations dealing with radiocommunication matters from all over the world, they enjoy a high reputation and are implemented worldwide."

The document under consideration says that "ITU-R has never been an SDO." This depends on the definition of SDO. However, based on the quote immediately above, ITU-R is an organization that does develop Recommendations, and Recommendations are "international technical standards."

We would suggest that further effort be made to enhance the document by ensuring that it captures and distinguishes between these two important and distinct aspects - Regulations vs Recommendations.

We hope that the 802.18 TAG will have a chance to review these comments.

We look forward to further cooperative interactions.

Regards,

Roger

cc: José Costa, Chair, IEEE 802.16 ITU-R Liaison Group  
 Reza Arefi, IEEE 802.16 Liaison to 802.18 TAG  
 Paul Nikolich, Chair, IEEE 802 Executive Committee