

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Creation of Interstitial 12.5 Kilohertz Channels in)	WP Docket No. 15-32
in the 800 MHz Band Between 809-817/854-862 MHz)	RM-11572
)	
Amendment of Part 90 of the Commission's Rules to)	WP Docket 16-261
Improve Access to Private Land Mobile Radio Spectrum)	

To: The Commission

***Ex Parte* Comments of EIBASS**

Engineers for the Integrity of Broadcast Auxiliary Services Spectrum (EIBASS) hereby respectfully submits its *ex parte* comments in the above-captioned draft Report & Order relating to splitting 800 MHz band channels and amendment of Part 90 Private Land Mobile Radio (PLMR) rules to similarly allow split channel operation.

I. Draft R&O Did Not Discuss Part 74 Subpart D RPU Stations with 100 Watt TPOs

1. Paragraph 16 the draft R&O, FCC-CIRC1810-03, posted to the FCC web site on October 2, 2018, discusses adjacent band Part 74 Subpart H Low Power Auxiliary Service (LPAS) Broadcast Auxiliary Service (BAS) stations at 450-451 MHz and 455-456 MHz, noting that because they are limited to a transmitter power output (TPO) of only 1 Watt¹, interference from immediately adjacent band Private Land Mobile Radio (PLMR) would be too likely to occur if band overlap was allowed.² However, the draft R&O did not discuss Part 74 Subpart D Remote Pickup (RPU) stations, also at 450-451 MHz and 455-456 MHz, but with TPOs of up to 100 Watts.³ RPU stations can be either fixed or mobile, and are extensively used by broadcasters for real time traffic reporting and other news events, as well as for operational communications such as dispatching of electronic news gathering (ENG) trucks and/or aircraft. Like Subpart H LPAS stations, Subpart D RPU stations are also allowed to operate pursuant to Section 74.24 (Short-Term Operation).

¹ Section 74.861(d)(1) of the FCC rules.

² "Given the low power at which BAS LPAS devices operate and the difficulty in coordinating with itinerant BAS use (both geographically and spectrally), we conclude that authorizing PLMR operations that overlap BAS spectrum poses an unacceptable risk of harmful interference to BAS operations.

³ Section 74.461(b) of the FCC rules.

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2. Thus, there is a risk of a high power RPU station at, say, 450/455.950 MHz or 450/455.99375 MHz, causing interference to or receiving interference from an Industrial/Business (I/B) station operating on a split channel at 451/456.00625 MHz since there is no frequency coordination between Part 74 BAS stations and Part 90 PLMR stations in the 450 MHz band.⁴

⁴ Although Section 74.902(e)(3) states:

Operation is subject to the condition that no harmful interference is caused to stations operating in accordance with the Table of Frequency Allocations set forth in part 2 of this chapter.

Applications for licenses to use frequencies in this band must include statements showing what procedures will be taken to ensure that interference will not be caused to stations in the Industrial/Business Pool (Part 90),

that rule only applies to VHF 152 MHz channels. At 450/455 MHz there is no BAS RPU frequency coordination requirements with Part 90 PLMR stations.

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II. Summary

3. The draft R&O properly recognized Part 74 Subpart H LPAS stations, but not high power Part 74 Subpart D RPU stations operating on the identical BAS band frequencies. Thus, EIBASS submits that it would be imprudent to both services to allow split channel PLMR operation on 451/456.00625 MHz.

Respectfully submitted,

/s/ Dane E. Ericksen, P.E., CSRTE, 8-VSB, CBNT
EIBASS Co-Chair
Consultant to Hammett & Edison, Inc.
Sonoma, CA

/s/ Richard A. Rudman, CPBE
EIBASS Co-Chair
Remote Possibilities
Santa Paula, CA

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EIBASS
18755 Park Tree Lane
Sonoma, CA 94128
707/996-5200
dericksen@h-e.com