

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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Federal Communications Commission  
Office of the Secretary

In the Matter of )  
 )  
Amendment of Part 90 ) RM- \_\_\_\_\_  
to Expand Coordination )  
of the 800 MHz )  
General Category Channels )

To: The Commission

PETITION FOR RULE MAKING  
OF THE  
SPECIAL INDUSTRIAL RADIO SERVICE ASSOCIATION, INC.

The Special Industrial Radio Service Association, Inc. (SIRSA), pursuant to Section 1.401 of the Rules and Regulations of the Federal Communications Commission (Commission), hereby respectfully submits this Petition for Rule Making (Petition) that requests initiation of a proceeding for the purpose of amending Part 90 of the Commission's Rules and Regulations to permit coordination of single channel Specialized Mobile Radio (SMR) systems from the general access pool by any of the three certified frequency coordinators: SIRSA, the National Association of Business and Educational Radio, Inc. (NABER), or Associated Public-Safety Communications Officers (APCO).

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**I. PRELIMINARY STATEMENT**

1. The Special Industrial Radio Service Association, Inc., a non-profit association organized under the laws of the District of Columbia, is the Commission's certified frequency coordinator for the Special Industrial Radio Service and the Industrial/Land Transportation 800/900 MHz frequency "pools." SIRSA also coordinates channels from the general access pool for those entities (a) eligible to become Industrial/Land Transportation licensees, (b) wishing to expand trunked systems, or (c) consolidating conventional systems into a trunked system. SIRSA coordinates in excess of 6,000 applications per year on behalf of applicants seeking Commission authority to operate radio stations on frequency assignments allocated to the Special Industrial Radio Service and the enumerated 800/900 MHz frequency "pools."

2. SIRSA enjoys the support of a membership that includes more than 12,000 licensed two-way land mobile radio communications users and the following trade associations:

Alliance of Motion Picture and Television Producers  
American Iron Ore Association  
American Mining Congress  
Associated Builders & Contractors, Inc.  
Florida Citrus Processors Association  
Florida Fruit & Vegetable Association  
National Aggregates Association  
National Agricultural Aviation Association  
National Food Processors Association  
National Propane Gas Association  
National Ready-Mixed Concrete Association  
National Utility Contractors Association  
New England Fuel Institute  
Petroleum Equipment Suppliers Association  
United States Telephone Association

## II. BACKGROUND

3. SIRSA, NABER and APCO were certified by the Commission in 1986 as the frequency coordinators for the 800 MHz conventional frequency category that consists of 150 channels.<sup>1/</sup> These frequency assignments, unlike channels allocated to the various radio services below 470 MHz and the 800/900 MHz pools, were licensed based on the type of technology employed rather than on eligibility

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<sup>1/</sup> See Report and Order, Frequency Coordination in the Private Land Mobile Radio Service (PR Doc. No. 83-737), 103 FCC 2d 1093, (1986) (frequency coordination proceeding).

of the applicant. Prior to this official Commission certification of SIRSA, NABER, and APCO, these frequency advisory committees successfully coordinated these 150 channels. Consequently, the Commission saw no reason to modify the procedures in place; and it made an exception to the one coordinator per category approach adopted for the other radio services and frequency pools. Specifically, the Commission found that SIRSA and the other two frequency coordination committees were representative of users in this category because there was no distinction made with regard to the service in which the user was eligible. Accordingly, APCO was certified to coordinate all public safety and special emergency radio use, NABER to coordinate all business use, which included conventional SMR use, and SIRSA to coordinate all industrial and land transportation use.

4. This coordination procedure continued until 1990 when the Commission redesignated these 150 conventional channels into a new general access pool.<sup>2/</sup> This redesignation permitted the conventional channels to be used in a trunked mode, either to expand an existing trunked system or to create a new trunked system by combining

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<sup>2/</sup> See Report and Order, Trunking in the Private Land Mobile Radio Services for More Effective and Efficient Use of the Spectrum, (PR Doc. No. 87-213), 5 FCC Rcd. 4016 (1990).

existing conventional stations. In this new context, it became necessary for the Commission to determine a procedure by which the general access pool channels would be coordinated when the assignments were sought for trunked use. When applicants, other than trunked SMR licensees, were seeking to expand their systems with a general access channel, the Commission found that the existing coordination procedure was effective. However, there were no provisions for coordination for trunked SMR stations. Therefore, the Commission determined that in connection with expansion of SMR systems, the applicant could have any of the three recognized coordinators coordinate the application.<sup>3/</sup> The Commission found that each coordinator already had in place the mechanisms to engage in such large-scale coordination, and that providing for such choice would not result in any significant inefficiency, confusion or delay.

5. Nevertheless, SMR applicants seeking a recommendation for an 800 MHz conventional channel from the general access pool may only obtain that recommendation from NABER. On the other hand, the Commission permits an applicant seeking to expand a trunked 800 MHz SMR station to

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<sup>3/</sup> This procedure is similar to the option available to an SMR in obtaining channels through intercategory sharing. See 47 C.F.R. § 90.621(g).

obtain coordination from the general access pool from any of the three certified coordinators. Additionally, SMR licensees seeking to combine their conventional SMR systems into a trunked system may also obtain frequency coordination from any of three certified frequency coordinators.

### III. PETITION FOR RULE MAKING

6. SIRSA believes that there is no remaining justification to bar applicants seeking the establishment or modification of a conventional SMR system from obtaining frequency coordination for general access channels from any of the three recognized coordinators. The general access pool is just that, a general pool available to all applicants. Current procedures are occasionally inequitable. These procedures can adversely affect conventional SMR applicants in obtaining a general access channel authority. Often times, these applicants must compete with other applicants, who may select any one of the three coordinators, for the same channel assignment.

7. Prior to redesignating the 150 channel pair as a general access pool, the Commission recognized that they

were available to users regardless of their service eligibility. The Commission's redesignation of the channels as a general access pool also made the assignments available to all users regardless of the nature of their operation. Currently, public safety, business, industrial and land transportation eligibles are limited to obtaining coordination for general access pool channels from the their recognized 800/900 MHz category coordinator -- regardless of the technology proposed to be employed on the system. In contrast, the coordination choice for SMR category applicants is still based purely on technology. However, there is nothing in the record on which a distinction may be made between coordination of a trunked SMR system and a conventional SMR system. Accordingly, limiting a conventional SMR applicant to a single coordinator is inconsistent with the Commission's decision to permit multiple coordinators to coordinate trunked SMR applications for channels from the general access pool.

8. Additionally, each of the three coordinators must maintain a database of the general access pool. The current coordinator notification system is in full compliance with Commission rules and regulations pertaining to its certified frequency advisory committees. Consequently, the Commission would not be adversely affected

by permitting the conventional SMR applicant a choice of coordinators. Accordingly, SIRSA urges the Commission to amend its rules to permit an applicant seeking conventional SMR authorization to select any one of the three recognized coordinators of the general access pool to provide the required coordination.

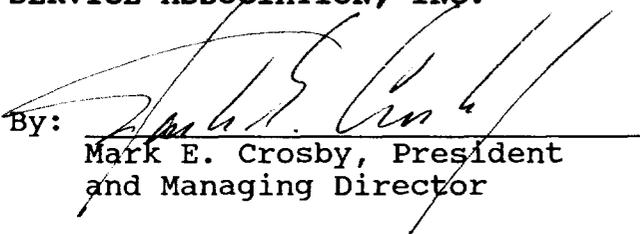
#### IV. CONCLUSION

9. The coordination procedure applicable to conventional SMR systems is inconsistent with the Commission's decision in the PR Docket No. 87-213. Accordingly, SIRSA urges the Commission to initiate a rulemaking proceeding for the purpose of amending its rules to permit conventional SMR applicants the choice of coordinators.

**WHEREFORE, THE PREMISES CONSIDERED,** the Special Industrial Radio Service Association, Inc. respectfully urges the Federal Communications Commission to grant this

Petition for Rule Making and institute a rulemaking proceeding consistent with the proposals set forth in Appendix A.

**THE SPECIAL INDUSTRIAL RADIO  
SERVICE ASSOCIATION, INC.**

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Dated: February 4, 1992

APPENDIX A

Section 90.615 is amended by revising paragraph (a) to read as follows:

**§ 90.615 Frequencies available in the General Category**

(a) Frequencies in the 806-809.750/851-854.750 MHz bands (Channels 1-150) are allocated to the General Category for conventional operations. The frequencies are available to all eligibles under this subpart (see § 90.603) for conventional operations in areas farther than 110 km (68.4) miles from the U.S./Mexico border and farther than 140 km (87 miles) from the U.S./Canada border. Applications submitted by eligibles under § 90.603(c) may be coordinated by one of the three recognized category coordinators above 800 MHz.

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