

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Dockets  
222

03 FEB 1992

IN REPLY REFER TO:

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FEB 4 - 1992

Honorable Al McCandless  
House of Representatives  
2422 Rayburn House Office Building  
Washington, DC 20515-0537

92-9 /

Dear Congressman McCandless:

Federal Communications Commission  
Office of the Secretary

Your letter to the Director of Legislative Affairs has been referred to me for reply. Your constituent, Tom Levy of the Coachella Valley Water District, expressed concern to you regarding proposals to reallocate frequencies at 2 GHz that would impact the public utilities currently using those frequencies.

On January 16, 1992, the Commission adopted a Notice of Proposed Rule Making (Notice) in ET Docket No. 92-9 that proposes allocating 220 MHz of 2 GHz spectrum for use by providers of emerging technologies. With regard to licensees currently using portions of this spectrum, the Commission proposed to permit state and local government licensees, including public safety agencies, to continue indefinitely their current operations on a primary basis. Other users would be permitted to continue their current operations on a primary basis for a period of time to be established - such as 10 or 15 years - and then permitted to continue operating only on a secondary basis. Expansion and new microwave systems would be permitted on a primary basis only at higher frequencies. In conjunction with the Notice, the Commission will release a staff study of existing use of this spectrum and identify other suitable frequencies available for this purpose. To further facilitate accommodation of the competing demands for this spectrum, the Commission also proposed to permit negotiation of financial arrangements between existing licensees and parties proposing new services that would facilitate access to this spectrum for services employing emerging technologies.

These provisions are intended to prevent disruption to the communications of the existing licensees, yet still provide the spectrum needed by U.S. companies to develop new and innovative telecommunications products and services and bolster U.S. competitiveness in world telecommunications markets. An example of one such new proposed service is the personal communications service (PCS), which the Commission is addressing concurrently in GEN Docket No. 90-314.

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Honorable Al McCandless

2.

The need of the existing users of 2 GHz for reliable communication is of importance to the Commission, and is being taken carefully into consideration. Your constituent's concerns will be taken into account before a final determination is made, and for that purpose, I am making his letter part of the record in the two dockets discussed above, ET Docket No. 92-9 and GEN Docket No. 90-314.

Sincerely,

A handwritten signature in cursive script that reads "Thomas P. Stanley". The signature is written in black ink and is positioned above the typed name and title.

Thomas P. Stanley  
Chief Engineer

HOUSE OF REPRESENTATIVES, U.S.  
WASHINGTON, D.C.

OET  
90-314  
JAN 22 1992  
JB

JANUARY 22, 1992



THANKS!

S.

David J. Schroeder  
Legislative Assistant

Al McCandless  
Member of Congress  
37th District, California

U. S. House of Representatives  
Washington, D. C. 20515  
(202) 225-5330

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible:

If you will advise me of your action in this matter and have the letter returned to me with your reply, I will appreciate it.

RECEIVED

JAN 27 1992

LEGISLATIVE AFFAIRS  
OCPA

Very Truly yours,

AL McCANDLESS

M.C.

CALIFORNIA 37th District.



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# COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92236 • TELEPHONE (619) 398-2651

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REDWINE AND SHERRILL, ATTORNEYS

December 19, 1991

File: 0055.1

Congressman Al McCandless  
74-075 El Paseo Street  
Palm Desert, California 92260

Dear Congressman McCandless:

In an apparent effort to clear airwaves for cellular telephone users, the Federal Communications Commission (FCC) is proposing a plan which would cost Coachella Valley Water District (District) residents alone more than \$4.76 million to covert emergency communications equipment to operate at different frequencies. Statewide, the cost is projected to exceed \$448 million just for station relocation.

We need your support to obtain congressional oversight hearings before the FCC adopts a final rule to require that such emergency equipment be moved from the 2 GHz microwave band to make room for Personal Communications Networks, an advanced cellular telephone service which would be available in 1992.

As you know, our District spans 1,000 square miles of desert and some of our facilities are located outside District boundaries, some more than 100 miles from District headquarters.

The District's microwave communication system is vital to forwarding critical telemetry data from remote sites to district headquarters. Water system controls, early flood warnings, and hundreds of irrigation and urban water system and wastewater reclamation system alarms are transmitted each day to the District's central control room.

In addition, we use microwave to control mobile radio base stations and for long and medium range voice and data communications.

To upgrade our 15 microwave stations (26 transmitters and receivers) will cost an estimated \$3.3 million. A frequency change will require expansion to six additional sites at a cost of another \$1.5 million.

At minimum, a congressional oversight committee should consider the following questions:

1. Why not select other, less congested bands?

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2. If displacement occurs, has the FCC allocated satisfactory spectrum for displaced users?
3. Would existing users continue to operate on a coequal and primary basis?
4. Who will pay for the costs of relocation?
5. If displaced to a different spectrum, how will reliability and safety be affected?

It is not our intent to hinder progress. We are groundbreakers in the use of the most advanced technology available to meet the needs of our water users. But we do not believe that our service users should face physical or economic threats by mandated changes in technology from which they receive little or no benefit.

Your help in this matter is vital to utilities throughout the country. The cost to 20,000 affected stations nationwide is expected to be in the billions.

Yours very truly,



Tom Levy  
General Manager-Chief Engineer

DCM:lg/a2

cc: Utilities Telecommunications Council  
1140 Connecticut Avenue, N.W., Suite 1140  
Washington, D. C. 20036