Docket 92-9

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

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OFFICE OF
THE CHAIRMAN

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

92-9

EX PARTE OR LATE FILED

Honorable David R. Nagle
House of Representatives
214 Cannon House Office Building
Washington, DC 20515-1503

Dear Congressman Nagle:

This is in response to your letter expressing concern 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.

Please be assured that 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 concerns will be taken into account before a final determination is made, and for that purpose, I am making your letter part of the record in the two dockets discussed above, ET Docket No. 92-9 and GEN Docket No. 90-314.

Sincerely,

Alfred C. Sikes
Chairman

DAVE NAGLE
3RD DISTRICT, IOWA

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Congress of the United States
House of Representatives
Washington, DC 20515

January 21, 1992

Mr. Alfred Sikes
Chairman, Federal Communications Commission
Federal Communications Commission
1919 M Street
Room 814
Washington, D.C. 20554

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LEGISLATIVE AFFAIRS
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Dear Mr. Sikes:

The purpose of this letter is to inform you of a matter of interest to me regarding the possible takeover of the utility industries' microwave radio spectrum by personal communications networks (PCN). As you are aware, the frequencies in question are in the 1.8 - 2.1 GHz region.

This matter is of particular interest to me because many Iowa utilities use these frequencies to control their generation and transmission facilities. Their ability to supply uninterrupted service to the public is heavily dependent upon these frequencies.

The loss of these frequencies will force utilities to look elsewhere for other means of communication. Existing alternatives are unreliable which may put the public in danger due to blackouts or brownouts that may easily result from alternative methods.

In addition, the financial cost of replacing a reliable communications network would be too great a burden for many of our rural cooperatives to bear. Once again, the American public would be the victim as utilities would have no choice but to raise their fees to offset the replacement costs.

Please know that I am mindful of the difficult decisions you will be facing in regard to this matter. As you undertake this task, keep in mind that I will be supportive of any effort that will address the above raised concerns.

Sincerely,

Dave

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