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October 11, 2018

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Creation of Interstitial 12.5 kHz Channels in the 800 MHz Band, WP  
Docket No. 15-32, RM-11572; *Ex Parte* Filing of Southern  
Communications Services, Inc. d/b/a Southern Linc

Dear Ms. Dortch:

On October 2, 2018, the Commission released a Draft “Report and Order and Order” in which it detailed changes to its Part 90 rules that it plans to consider at its next Open Meeting on October 23, 2018, including the addition of new “interstitial” channels in the 800 MHz band.<sup>1</sup> Southern Communications Services, Inc. d/b/a Southern Linc (“Southern Linc”) actively participated in the Commission’s underlying rulemaking proceeding in order to ensure that the Commission’s proposed allocation of new, full-power, interstitial channels in the 800 MHz band would appropriately take into account the unique allocation and usage of the 800 MHz spectrum band in the Southeastern United States (*i.e.*, in those areas set forth in Section 90.614(c) of the Commission’s Rules), which differs significantly from the way in which this band is allocated and used elsewhere in the United States.

In particular, Southern Linc expressed concern regarding the Commission’s initial proposed allocation of two particular interstitial channels in the Southeast: channel 410a (at 858.5000 MHz), which would extend at least 5.625 kHz into Southern Linc’s licensed ESMR

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<sup>1</sup> / *Creation of Interstitial 12.5 kHz Channels in the 800 MHz Band Between 809-817/854-862 MHz*, WP Docket No. 15-32, RM-11572, Public Draft, Report and Order and Order, FCC-CIRC1810-03 (Oct. 2, 2018) (“Draft Order”).



spectrum, and Public Safety Pool channel 372a (at 857.5500 MHz), which would create an exclusive public safety channel within the Expansion Band in the Southeast.<sup>2</sup>

Southern Linc appreciates that the Draft Order includes a revised allocation of interstitial channels that deletes channel 410a from Tables 2A and 2B of Section 90.617(b), thus ensuring that new interstitial channel assignments will not extend into licensed ESMR spectrum. However, Southern Linc is concerned that Table 1A in the Draft Order still includes channel 372a in the Public Safety Pool for the Southeastern United States. As explained above, this would create an exclusive public safety channel within the Expansion Band, thus diminishing the availability and utility of the Expansion Band and, more significantly, resulting in lesser separation between public safety operations and licensed operations in the ESMR band in the Southeast. This result would run contrary to the Commission's intent in the 800 MHz rebanding proceeding to limit the Expansion Band to SMR and B/ILT use in order to "create spectral separation between public safety systems and high-density cellular architecture systems in the band."<sup>3</sup>

Southern Linc therefore urges the Commission to revise the Draft Order's list of new 800 MHz interstitial channels to delete channel 372a from Table 1A of Section 90.617(a)(2) to ensure that there is 1 MHz of separation between public safety systems and high-density ESMR systems in the Southeast, consistent with the Commission's intent for the 800 MHz band.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-referenced proceeding.

Respectfully submitted,

/s/ David D. Rines

David D. Rines

Counsel to Southern Linc

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<sup>2</sup> / See Comments of Southern Linc, WP Docket No. 15-32, RM-11572 (filed May 11, 2015); Southern Linc Notice of *Ex Parte* Presentation, WP Docket No. 15-32, RM-11572 (filed June 18, 2015); Southern Linc Notice of *Ex Parte* Presentation, WP Docket No. 15-32, RM-11572 (filed June 30, 2016).

<sup>3</sup> / See Draft Order at note 61 (internal citations omitted). In footnote 61 of the Draft Order, the Commission explains that, in areas outside the Southeast, it is not making an interstitial channel available between standard channels 470 and 471 because "a public safety interstitial channel between standard channels 470 and 471 would partially fall in the Expansion Band." *Id.* As the Commission points out, "Public Safety Pool channels previously falling in the Expansion Band pre-rebanding were converted to SMR or B/ILT Pool channels so that *all* Public Safety Pool channels would stay *below* the Expansion Band." *Id.* (emphasis added)



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cc: Michael Wilhelm (PSHSB)  
Scot Stone (WTB)