

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Dockets  
222

25 MAR 1992

IN REPLY REFER TO:

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CN9200765

Honorable Ronald C. Packard  
House of Representatives  
434 Cannon House Office Building  
Washington, DC 20515-0543

92-9

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MAR 26 1992

Dear Congressman Packard:

Federal Communications Commission  
Office of the Secretary

Thank you for your letter regarding Commission proposals to allocate spectrum for personal communication services. Your constituent, Mr. Dale Mason, member of the Board of Directors of the Metropolitan Water District of Southern California, expressed concern with the impact of proposals to reallocate frequencies at 2 GHz.

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 spectrum at 2 GHz for use by new services and technologies, including PCS. Under the Commission's proposal, local and state government licensees, including public safety agencies, would be exempt from any mandatory move to higher frequencies. I have enclosed a fact sheet that describes how those agencies would be affected by the spectrum policies under consideration. I also have enclosed another fact sheet that outlines the entire proposal.

With regard to licensees that are not local or state government entities, the Commission is considering proposals that would permit current operators to negotiate financial and other arrangements to assist during a transition period in relocation to new frequencies. The Commission is considering three alternative transition periods: a fixed period of 10 or 15 years during which negotiations could occur; phased periods, providing a certain amount of spectrum at established intervals, such as 50 MHz every 5 years; or an unlimited period that would permit existing users to negotiate with new service providers indefinitely. In conjunction with the Notice, the Commission released a staff study of existing use of this spectrum and identified other suitable frequencies available for relocation purposes.

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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.

The needs of the existing 2 GHz users are of importance to the Commission, and are being taken carefully into consideration. Please be assured that Mr. Mason's concerns will be taken into account before a final determination is made in this matter. For that purpose, I am making this correspondence 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".

Thomas P. Stanley  
Chief Engineer

Enclosures

**RON PACKARD**  
43RD DISTRICT, CALIFORNIA

COMMITTEES:  
PUBLIC WORKS  
AND TRANSPORTATION  
SCIENCE, SPACE, AND TECHNOLOGY

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DET  
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**Congress of the United States**  
**House of Representatives**

March 9, 1992

Chairman Alfred C. Sikes  
1919 M Street, N.W.  
Washington, DC 20554

Dear Chairman Sikes:

I am contacting you on behalf of a constituent of mine.

Enclosed is a copy of the correspondence I received which I hope you will examine closely. I ask your assistance with investigating the concerns outlined in the letter and with answering satisfactorily the questions raised. Specifically, I hope to provide the constituent with a justification why the FCC would strip the Metropolitan Water District of a frequency used in the operation of the Colorado River Aqueduct.

Thank you for your attention and assistance in this matter.

Sincerely,

Ron Packard  
Member of Congress

RCP/wph

The Mason  
Insurance  
Agency

Packard

439 San Marcos Boulevard/Post Office Box 7, San Marcos, CA 92069 • (619) 744-1174 • 727-1310

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February 4, 1992

FEB 13 1992

The Honorable Alfred C. Sikes  
Chairman  
Federal Communications Commission  
1919 M Street, N.W., Room 814  
Washington, DC 20554

Cong. Ron Packard  
Wash. D.C. Ofc.

Dear Commissioner Sikes,

I am writing to express my deep concern over a proposal by the Federal Communications Commission (FCC) which would strip the Metropolitan Water District of a key communications microwave frequency used in the operation of the Colorado River Aqueduct. This action could cost Southern California water users \$1.5 million to replace this frequency, but without providing any net improvement in the District's current communications capabilities.

Metropolitan has already spent substantial sums to acquire the communications network necessary to effectively run the aqueduct, which stretches 242 miles across the desert and provides a considerable portion of the Southland's drinking water. The FCC's proposal to take away a vital microwave link in this system is unfair and unnecessary. In your capacity as FCC Commissioner, I strongly urge you to drop this proposal.

The FCC's plan would take away the microwave frequency upon which the District has relied since 1987 to communicate with its most remote desert field stations. If this occurs, Metropolitan will have to purchase access to another frequency and construct additional transmitters in the desert to accommodate that new frequency which could prove difficult under the Desert Protection Act.

As a member of Metropolitan's Board of Directors, I thank you for your continuing interest in Metropolitan and Southern California's important water issues

Sincerely,

*Dale Mason*

Dale Mason  
Director

cc: Ms. Cheryl A. Tritt

## ACTIVITIES AFFECTING STATE AND LOCAL GOVERNMENT SPECTRUM

### Emerging Technology Band Proposal

- o In January 1992, the FCC proposed to reallocate 220 MHz of the 2 GHz frequency band. The FCC proposed that this 220 MHz be used for new emerging technologies. Such new services could include:
  - Personal Communications Services and Networks (PCS & PCN)
  - Low Earth Orbit (LEO) Satellite Services
  - Wireless Computer Networking
  - Digital Audio Broadcasting
- o FCC proposal is consistent with international activity looking at this frequency band for future advanced mobile services. Countries in Europe and Asia plan to use 2 GHz spectrum for new technologies, such as PCS.
- o FCC proposal would encourage U.S. competitiveness and the domestic development of new services and technology by making available new spectrum for such uses.
- o Impact on State and Local Governments- Existing 2 GHz microwave spectrum is currently used by a wide variety of entities and businesses to provide point-to-point communications services. State and local government entities, including public safety, have significant operations in this band. State and local government licensees represent about 20% of the users of this spectrum. To ensure that these operations would not be harmed, the FCC proposed that:
  - All existing state and local government operations, including public safety, be exempted from any mandatory move to higher frequencies.
  - Such operations can continue to operate indefinitely and would be protected from interference from any future new technology operations.

### License Fees For State and Local Government

- o Impact on State and Local Governments- None. Public safety licensees are exempted from all FCC processing fees (Omnibus Budget Reconciliation Act (1989), Section 1.1112(b) of the FCC Rules).

### Congressionally Initiated Spectrum Bills

- o Impact on State and Local Governments- None. Spectrum bills [H.R. 531, S. 2904 (Dingell, Inouye)] would reallocate spectrum from Federal government use to non-Government use. While public safety licensees have raised concern with the bills, the bills do not affect public safety licensees.

**FCC PROPOSAL FOR EMERGING TECHNOLOGY BANDS AT 2 GHZ**

**PURPOSE:** To present the FCC proposal to reallocate spectrum for emerging technologies.

**BACKGROUND:**

- o On January 16, 1992, the FCC proposed to reallocate 220 MHz of spectrum at 2 GHz from fixed microwave service to new emerging technologies.
  - Final rules will be addressed by FCC after consideration of comments that can be filed until May 21, 1992.
  - The spectrum is currently used to provide point-to-point communications for a variety of services, such as utilities, railroads, public service (including public safety), businesses, and cellular telephone.
  - Emerging technology services could include new mobile services and mobile-satellite services:
    - \* Personal Communications Services (PCS) and Networks (PCN)
    - \* Mobile-Satellite Services, including Low Earth Orbit (LEO) Satellite Systems
    - \* Wireless Computer Networks (Data PCS)
- o Growing demand from U.S. companies to develop new, innovative technologies and services has put great pressure on FCC for suitable spectrum:
  - Current requests at FCC seen for up to 400 MHz for new emerging technology.
  - Additional allocations of 800 MHz for expansion of existing services envisioned.
- o Other countries are allocating large blocks of spectrum around 2 GHz for new mobile services and emerging technologies in order to foster their domestic manufacturing.
  - Japan has allocated 100 MHz and is considering an additional 400 MHz.
  - U.K has allocated 174 MHz.
  - The European Community is considering allocating up to 320 MHz.
- o The 2 GHz band is the best band for the new mobile technologies and services.
  - 2 GHz is where state-of-the-art mobile communications are being developed internationally.
  - 2 GHz fixed microwave band is the only band that is available for development of new mobile services.
    - \* Lower bands are heavily used by services (such as broadcast TV) that can not be relocated to higher bands.
    - \* Higher bands are limited by current technology that will not allow for commercial development of electronics for mobile technologies.
- o The 2 GHz fixed microwave operations may relocate in any of over a half-dozen higher fixed microwave bands.
  - These bands provide sufficient capacity to reaccommodate existing 2 GHz operations.
  - Intermediate sites will generally not be required.
  - Systems of comparable or higher reliability can be designed in the higher bands

through common engineering practices.

The cost of relocating existing 2 GHz operations does not present an economic barrier to relocation. (See proposal)

#### FCC PROPOSAL:

- o Current 2 GHz microwave users would be permitted to negotiate during a transition period financial and other arrangements with new service providers to assist in the relocation to new frequencies. Marketplace negotiations would encourage a timely transfer of spectrum and could permit current users to modernize their equipment and move to other microwave spectrum at no financial cost to themselves. (Existing public service users, including public safety, would continue undisturbed indefinitely, but would be permitted to negotiate a transfer, if they choose.) FCC is considering three alternative transitions:
  - Fixed Transition: One alternative would be to permit current microwave users to operate on a co-primary basis for a lengthy transitional time period during which the negotiations could occur; FCC proposed 10 or 15 years.
  - Phased Transition: Another approach might be to adopt a phased allocation in which blocks of frequencies would be made available for new services at intervals (e.g., 50 MHz every five years).
  - Unlimited Transition: An alternative would be to permit existing users to continue to operate on a co-primary basis indefinitely while permitting negotiations for the use of the spectrum.
- o New emerging technology services would be permitted access to the 2 GHz bands only on the condition that they not interfere with current fixed microwave operations during the transition.
- o FCC proposes to waive eligibility restrictions to permit easier relocation of existing 2 GHz users to higher fixed microwave bands.
- o Expansion of existing microwave systems or introduction of new microwave systems at 2 GHz would be permitted only on the condition they not cause interference to new services; of course, new microwave systems or expansion of existing systems at higher microwave bands is encouraged without conditions.
- o After the transition period all 2 GHz microwave operations, except public service (public safety) which is permitted to remain unconditionally, would be allowed to remain in the band on the condition that they protect new services. (This permits, for example, microwave systems to operate indefinitely in rural areas where we would not expect great demand for many of the new services.)
- o FCC has also requested comment on the possibility of making available for relocation purposes government spectrum adjacent to the proposed 2 GHz band.