



WASHINGTON, DC

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October 29, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation; WT Docket No. 14-180**

Dear Ms. Dortch:

On October 25, 2018, undersigned counsel to New York State Electric & Gas Corporation (“NYSEG”) and Brett Kilbourne, Vice President Policy and General Counsel, with Utilities Technology Council (“UTC”) met separately with Umair Javed, Legal Advisor to Commissioner Jessica Rosenworcel and Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly to discuss the above-referenced proceeding. The following representatives also participated in each of these meetings by telephone: Lon Renner, Telecom Engineer with Nebraska Public Power District (“NPPD”), Peter Stritzinger, Lead Engineer with NYSEG; Barry Black, Manager of RF Engineering with Trott Communications Group, Inc.; and Jim Collum, Manager of Systems Engineering with Selex ES Inc., a Leonardo Company.

In each of these meetings, the participants expressed support for a Notice of Proposed Rulemaking (“NPRM”) to update the Part 22 Paging and Radiotelephone Service rules to provide greater flexibility and promote more intensive use of the band.

We discussed the history of the Part 22 band and how the Federal Communications Commission (“FCC” or “Commission”) has expanded the permissible operations for Part 22 services and increased the flexibility of licensees to respond to the marketplace and meet their operational needs.

We explained that utilities have acquired Part 22 paging licenses through auction and the secondary market and incorporated the frequencies into their private land mobile radio systems that are used to support the reliable provision of electric and gas service to the public. We discussed that utilities rely on their Part 22 spectrum to provide real-time communications using handheld portable radios to ensure that they are able to carry out their critical infrastructure



operations as safely and effectively as possible. NPPD discussed how it utilizes Part 22 frequencies as part of the Nebraska Statewide Radio System that supports the mission critical communication needs of public safety agencies and utilities in Nebraska.

At the same time, however, we noted that utilities are constrained in their ability to deploy Part 22 channels and expand their operations because of the various technical limitations imposed by certain provisions of the FCC's rules. We reiterated that allowing for greater flexibility would enable utilities to make more intensive and efficient use of the band and incorporate new narrowband technological opportunities to facilitate essential utility service to their customers, provide increased coverage and capacity that will assist in maintaining the safety and reliability of the electric grid and natural gas delivery infrastructure and provide a means for data transmission to support Smart Grid applications for utilities. It would also increase the overall use of the paging spectrum and further Commission policy objectives regarding deployment of efficient and innovative technologies.

We expressed support for greater flexibility with respect to the channel bandwidth and out-of-band emission limitations rules to allow licensees to use offset frequencies, permitting two-way mobile operations on channels allocated for one-way paging operations, authorizing mobile-to-mobile talk-around communications instead of requiring mobile stations to communicate only with and through base stations, allowing the use of equipment certified under Part 90 to also be used in Part 22 and to permit technologies such as TETRA, and updating the Part 22 build-out requirements to more accurately reflect how the spectrum is used for private internal communications to support utility operations.

We urged the FCC to conduct more frequent auctions to make additional Part 22 spectrum available under the new more flexible rules and to provide a timely mechanism for Part 22 licensees to re-acquire channels that they may have previously lost due to termination for being unable to meet the current stringent build-out requirements. Finally, we discussed that the proposed changes to the Part 22 rules would not cause interference to existing operations or preclude incumbents from expanding their systems.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed electronically for inclusion in the record of this proceeding.

Respectfully submitted,

/s/ Kevin M. Cookler

Kevin M. Cookler

cc: Umair Javed  
Erin McGrath