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June 3, 1992

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FEDERAL COMMUNICATIONS COMMISSION
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MAIL BRANCH

Ms. Donna R. Searcy, Secretary
FEDERAL COMMUNICATIONS COMMISSION
Federal Communications Commission Building
Room 222, 1919 M Street, N. W.
Washington, D. C. 20554

Re: *In the Matter of Redevelopment of Spectrum to Encourage Innovation in the Use of
New Telecommunications Technologies*

Dear Ms. Searcy:

Enclosed are an original and four copies of Comments on the above-captioned rulemaking proceeding to be filed on behalf of A&N Electric Cooperative, BARC Electric Cooperative, Choptank Electric Cooperative, Community Electric Cooperative, Craig-Botetourt Electric Cooperative, Delaware Electric Cooperative, Mecklenburg Electric Cooperative, Northern Neck Electric Cooperative, Northern Virginia Electric Cooperative, Powell Valley Electric Cooperative, Prince George Electric Cooperative, Rappahannock Electric Cooperative, Shenandoah Valley Electric Cooperative, Southern Maryland Electric Cooperative, Southside Electric Cooperative and Old Dominion Electric Cooperative.

Sincerely,

Charles C. Jones, Jr.
Executive Vice President

cc: Member Cooperatives

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COMMENTS OF THE MEMBERS OF THE VIRGINIA, MARYLAND AND DELAWARE ASSOCIATION OF ELECTRIC COOPERATIVES IN THE MATTER OF REDEVELOPMENT OF SPECTRUM TO ENCOURAGE INNOVATION IN THE USE OF NEW TELECOMMUNICATIONS TECHNOLOGIES

FEDERAL COMMUNICATIONS COMMISSION
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The Virginia, Maryland and Delaware Association of Electric Cooperatives (VMDAEC) hereby submits its comments to the Federal Communications Commission's (FCC) ET Docket No. 92-9. In the Matter of Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies.

VMDAEC represents fifteen rural electric distribution cooperatives and one generation and transmission cooperative providing electricity to approximately 336,000 consumers in Virginia, Maryland and Delaware. A number of our member systems depend on the 2 GHz band in controlling load, detecting and isolating outages in transmission lines and data/voice communications, all of which are integral to providing reliable, essential electric service.

At the outset, the VMDAEC would like to state that it is not opposed to the development of new technologies. We recognize and support the **proven** need for emerging technologies such as personal communication networks. However, based on the information developed during these proceedings, a decision to displace current users of the 2 GHz band would be premature for the reasons cited below.

The paramount consideration of a decision to displace incumbent users of the 2 GHz spectrum should be the extent to which public safety will be jeopardized. Without reliable microwave communications systems, such as the 2 GHz spectrum, electric cooperatives must, as a practical matter, utilize expensive and unreliable common carrier networks. Frequently, however, the same disasters that cause utility outages also cause major disruptions of these common carrier networks. With these major disruptions, utilities will not have a communication system capable of responding quickly, effectively, and reliably to natural disasters and emergencies. Delays in, and lack of, electric service, particularly during catastrophes, will pose serious threats to life and property.

The record developed so far in these proceedings demonstrates clearly the lack of consensus among proponents of personal communication networks (PCN's) on issues critical to the development of this new technology. For example, the PCN advocates disagree on the fundamental question of the amount of spectrum necessary for the development of this technology. The estimates on this issue range from a low of 50 MHz to a high of more than 300 MHz. In addition, industry representatives of the PCN apparently have no specific target markets that will ultimately be served by this emerging technology. That is, some view PCNas

an economical alternative to cellular communications that will serve the needs of individuals rather than businesses, while others view the technology as merely complementary to cellular service that will serve primarily the needs of businesses. Given this lack of agreement on issues fundamental to the development and marketing of a new, emerging service, it is difficult to imagine that a sound, credible basis exists from which an informed decision can be made regarding the public benefit of PCN.

A decision to create space for PCN services by removing existing users from the 2 GHz band will also cause considerable financial, operational, and societal costs. Our member systems have been operating in the 2 GHz band for numerous years during which time substantial sums of time and money have been invested in order to provide consumers with a reliable supply of power. The cost, in equipment purchases alone, to our member systems to relocate to a higher frequency would be approximately \$12 million. This figure does not include other transitional costs such as those associated with the acquisition of rights-of-way and zoning and siting.

During these proceedings, there have been proposals which may not require any displacement of current users of the 2 GHz band. Generally, these proposals suggest that PCN's may be able to operate on existing "PCN" bands (the cellular band) or on the wireless cable band (2500-2688 MHz). It seems reasonable, therefore, that these and other plausible alternatives should be thoroughly investigated prior to considering whether to relocate incumbent users of the 2GHz band.

In conclusion, many fundamental aspects of the emerging communications services remain undefined. FCC Commissioner Duggan has observed that "...when there is any danger of displacing **proven** communications services in favor of **unproven** or **speculative** services, a heavy burden of proof rests upon us." From the record in these proceedings, it is not clear that this burden has been met by the FCC.

We urge the FCC to consider carefully these comments during its deliberations on this most important matter.