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**Federal Communications Commission**

WASHINGTON, D. C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Sections 90.621(c) )  
and (d) of the Commission's )  
Rules and Regulations Concerning )  
Separations Between 800 and 900 )  
MHz Land Mobile Radio Systems in )  
the Business and General )  
Category Radio Service Pools )

RM-8028

To: The Commission

**COMMENTS OF APCO**

Associated Public-Safety Communications Officers, Inc. ("APCO") hereby submits the following comments regarding the above-captioned Petition for Rulemaking filed on March 6, 1992, by the National Association of Business and Educational Radio, Inc. ("NABER").

APCO is the nation's oldest and largest public safety communications organization representing the interests of all elements of the public safety radio community. APCO serves as the FCC's certified frequency coordinator for all Part 90 Police, Local Government and 420 MHz and 800 MHz Public Safety channels. APCO has over 9,500 members involved in the operation of radio communications systems for police, fire, local government, emergency medical, forestry conservation, highway maintenance, and other public safety services.

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NABER requests in its Petition that the Commission modify Sections 90.621(c) and (d) to provide for a 40/22 dBu contour separation between co-channel stations in the Business and General Category Radio Service Pools. APCO supports the Petition, but urges that the modified rules also apply to Public Safety Radio Services (except for channels subject to Section 90.16).

APCO has consistently opposed frequency assignment and reuse based on mileage separation alone, and has often urged the Commission to adopt standards based on actual field strength.<sup>1/</sup> However, field strength guidelines must also provide appropriate levels of protection. The present 40/30 dBu contours, although stated by the Commission to represent an approximate distance of 70 miles, are far too liberal in many instances, particularly in mountainous areas with transmitters located at high level sites (as the Commission acknowledges in 90.621(c)). Conversely, geographic protection may enable reuse of channels at closer distances in certain instances. In any event, it is impossible in mountainous type terrain to achieve anything resembling a consistent 40 dBu contour for primary area coverage without special attention to antenna location and design, as well as output power. Further, satisfactory operation can often be achieved with signals significantly below the 40 dBu level. The present 40/30 criteria is often inappropriate and tends to encourage the use of power higher than necessary by the

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<sup>1/</sup> See, e.g., Comments of APCO in PR Docket 91-170.

first applicant to protect against interference from subsequent assignments. This is counterproductive to effective spectrum utilization.

APCO's support for the 40/22 dBu contour guideline is based in part on its experience with the Public Safety Regional Planning process, which has created a new awareness of the potential for better management of the spectrum. Regional planning groups have in many instances specified actual field strength levels for both co-channel and adjacent channel signals. These are normally at least as stringent than the proposed 40/22 dBu contours (and are often more stringent), as Public Safety systems require the utmost in developing systems free from destructive interference, while at the same time providing maximum reuse of channels.

APCO does not support use of a minimum 20 mile radius such as that proposed by NABER for SMRs. Different philosophies exist between Public Safety Services and business users. Unlike the SMR systems, where wide area coverage is usually desirable, every effort is made to limit signals in Public Safety Services to the area of political jurisdiction of a particular agency. By avoiding high level sites when possible, and keeping power to the lowest level required for coverage, systems can be made more spectrum efficient and increased reuse is possible. Therefore, the 20 mile radius may well be pertinent to SMRS, but should not be considered for Public Safety Services.

Although the NABER Petition covers only the General Category and Business Pool channels, it would be difficult to apply different criteria to various services occupying identical portions of the spectrum. Therefore, APCO supports the change to 40/22 dBu levels as proposed by NABER for 90.621 (c) and (d) and requests that they be applied to Public Safety Services as well, in Sections 90.615 and 90.617. Those channels subject to the provisions of 90.16 should not be included, as these channels are already subject to the more stringent protection criteria used in Regional Plans.

APCO does not imply that the ratio levels requested should always be absolute and proof of non-interference. Rather, this criteria should serve as a reference level to facilitate reuse and to place the burden of proof on both parties to justify their required areas of coverage and to support any claim of destructive interference with engineering data, hard facts, and/or field strength measurements.

CONCLUSION

APCO supports NABER's request that the Commission adopt a Notice of Proposed Rulemaking to amend Sections 90.621 (c) and (d) of its rules, consistent with APCO's comments herein.

Respectfully submitted,

ASSOCIATED PUBLIC-SAFETY  
COMMUNICATIONS OFFICERS, INC.

By: *Ronnie Rand*  
Ronnie Rand, President

Of Counsel:

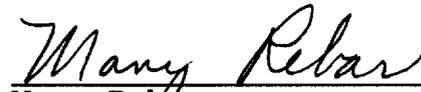
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July 30, 1992

CERTIFICATE OF SERVICE

I, Mary Rebar, a secretary in the law firm of Wilkes, Artis, Hedrick & Lane, hereby certify that a copy of the foregoing "Comments of APCO" was served by first class mail, postage prepaid, this 30th day of July, 1992, to the following individual at that address listed below.

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