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THE CHAIRMAN

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Honorable James H. Scheuer  
House of Representatives  
2221 Rayburn House Office Bldg.  
Washington, DC 20515-3208

92-9 /

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Scheuer:

Thank you for your letter concerning the Commission's proposals for the redevelopment of 220 MHz of 2 GHz spectrum to encourage innovation in the use of new telecommunications technologies and LOCATE's efforts to negotiate relocation terms acceptable to existing users.

U.S. technological leadership and competitiveness is a driving force in the Commission's efforts to identify and allocate spectrum for new technologies. On January 16, 1992, the Commission adopted a Notice of Proposed Rulemaking in ET Docket No. 92-9 that proposes to allocate spectrum for providers of services using emerging technologies. The primary issue before the Commission is finding ways to strike a balance that will accommodate services utilizing new technologies while ensuring that existing users can maintain and enhance the quality of their current operations. The Commission proposed private negotiations as one possible way to accommodate these competing interests, and LOCATE's work pursuing negotiated relocation is helpful.

Please be assured that your views regarding the expedient introduction of new telecommunications technologies subject to the continued safe, reliable and economical operation of utilities and public services will be taken into account before a final decision is made in this matter. For that purpose, I am making your letter part of the record in ET Docket No. 92-9.

Sincerely,

Alfred C. Sikes  
Chairman

JAMES H. SCHEUER

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Congress of the United States  
House of Representatives

July 8, 1992

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

Dear Chairman Sikes:

In January, the officers of the New York State Congressional Delegation wrote you to express their concern for the needs of existing users in the 220 MHz band proposed for reallocation to emerging technologies such as personal communications services (PCS). As an officer of the Delegation, and a member of the House Telecommunications and Finance Subcommittee, I would like to offer a new perspective on this ongoing debate.

Recently, I was advised of the good faith efforts of a company in New York State, LOCATE, to relocate existing users to higher frequencies on terms that are favorable and acceptable to certain existing users, including public safety organizations. Specifically, in hopes of becoming a potential PCS licensee, LOCATE has proposed to provide existing users with replacement facilities that offer equivalent reliability without a disruption in service and at no cost to the existing user. For existing users, LOCATE's proposal seems to offer an opportunity for interested utilities to obtain new, reliable communications facilities at no cost to the ratepayers or taxpayers.

I strongly support the expedient introduction of new telecommunications technologies that are critical to the United States' continued competitiveness. These new technologies, and personal communications services in particular, will create entirely new manufacturing and service sectors and provide a much needed boost to our economy.

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Chairman Sikes  
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In closing, I would like to reiterate my concern that any spectrum re-allocation should not jeopardize the safe, reliable and economical operation of New York State's utilities and public services. However, I respectfully encourage the Commission to carefully analyze the work of LOCATE and adopt a regulatory framework that will foster similar beneficial voluntary negotiations between existing users and potential licensees of the 220 MHz band.

With every warm best wish,

Yours,



James H. Scheuer  
Member of Congress