



WASHINGTON, DC

**KEVIN M. COOKLER**  
202.416.6749  
KCOOKLER@LERMANSENTER.COM

May 30, 2019

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 May 28, 2019, undersigned counsel to New York State Electric & Gas Corporation (“NYSEG”), met with Aaron Goldberger, Acting Wireless Advisor to Chairman Ajit Pai. On behalf of NYSEG, Peter Stritzinger, Lead Engineer, and Thomas Fitzgerald, Director Operational Smart Grids, OT Telecom, participated by telephone. Also participating by telephone were the following representatives of Trott Communications Group, Inc.: Barry Black, Manager of RF Engineering, and Keith Whitt, Vice President of Engineering Services.

We urged the Federal Communications Commission (“FCC” or “Commission”) to issue 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 this proceeding that has been pending for over four years since the comment period ended and provided a summary of NYSEG’s previous *ex parte* meetings regarding this docket.

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. 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, especially in areas north of Line A that require frequency coordination with Canada. We also supported 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, 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: Aaron Goldberger