

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

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In the Matter of )  
)  
Amendment to Section 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 )

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RM-8028

To: The Commission

**STATEMENT IN SUPPORT  
OF THE  
COMMONWEALTH EDISON COMPANY**

Commonwealth Edison Company (CECo), by its attorneys and pursuant to Section 1.405(a) of the Rules and Regulations of the Federal Communications Commission (Commission), hereby respectfully submits this Statement in Support of the Petition for Rule Making of the National Association of Business and Educational Radio, Inc. (NABER) filed with the Commission on March 6, 1992.<sup>1/</sup>

**I. PRELIMINARY STATEMENT**

1. CECo's headquarters are located in Chicago, Illinois. CECo generates electricity and distributes it to

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<sup>1/</sup> Public Notice, Report No. 23944, Petitions for Rulemaking Filed, released July 13, 1992.

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over 3.2 million customers representing 8 million people. Its extensive service area includes the Chicago metropolitan area as well as the northern 1/5 of the State of Illinois. In addition to its conventional generation of power, CECO is the nation's largest provider of nuclear generated power, with twelve nuclear reactors serving customers throughout its operating territory. CECO is licensed to operate a 900 MHz trunked, wide-area Industrial/Land Transportation service system throughout its service area, including its nuclear generating plants. CECO is concerned that its system be provided sufficient interference protection from co-channel licensees because of the critical nature of the communications that are transmitted on CECO's land mobile systems. Accordingly, CECO takes this opportunity to comment on NABER's petition.

## II. BACKGROUND

2. NABER's Petition seeks amendment of the rules to provide for a more stringent contour separation standard between co-channel Private Land Mobile Radio Service stations that employ channel assignments from the Business and General Category frequency pools. Adoption of the NABER proposal would change the current 40/30 dBu standard to a 40/22 dBu standard. NABER's proposal is similar to the rule

amendment it recommended in the Commission's proceeding that was initiated to amend Section 90.621(b) of the rules and to strengthen the interference criteria for Specialized Mobile Radio (SMR) channels.<sup>2/</sup> NABER has not, however, proposed the adoption of a 40/22 dBu table as was established for the SMR pool. Moreover, the current proposal does not include the Industrial/Land Transportation or Public Safety pools. NABER left to the Commission's discretion whether to address these two frequency pools in any rule making proceeding it might initiate in response to the petition.

### III. STATEMENT IN SUPPORT

3. CECo agrees with NABER that non-SMR licensees should be afforded a similar interference protection from co-channel systems. In a wide-area system configuration, such as CECo's, the need for interference protection is extremely important to ensure complete operational coverage of the system throughout CECo's extensive service area. Highly reliable communications are critical to ensure the

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<sup>2/</sup> See Report and Order, (FCC 91-229), Amendment of Part 90 of the Commission's Rules to Permit the Short-Spacing of Specialized Mobile Radio Systems Upon Concurrence from Co-Channel Licensees, 6 FCC Rcd. 4929 (1991).

efficient provision of electric power service and to promptly respond to reports of outage and other emergencies.

4. NABER's Petition, however, does not propose that the stricter interference standard be applied to the coordination of frequency assignments allocated to the Industrial/Land Transportation pool. CECO recognizes that NABER does not represent the Industrial/Land Transportation eligibles and only included the services in its proposal for which it bears a responsibility. Amending Section 90.621(c) and (d) to provide a separate interference criteria for two of the four service pools governed by Section 90.621(c) and (d) is unacceptable and, most likely, would cause undue confusion in the Commission's licensing process in many circumstances. The stricter interference standard is just as necessary for assignment of channels from the Industrial/Land Transportation pool as for channels included in the Business Category. Accordingly, CECO supports NABER's Petition, but strongly urges the Commission to include in any rule making initiative an amendment to Section 90.621(c) and (d) that provides a 40/22 dBu contour standard for the coordination of frequencies in all categories in the Industrial/Land Transportation, Business, Public Safety, and General Category pools.

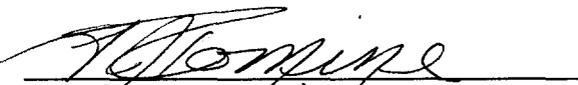
5. CECO is also concerned with the methodology used in the frequency coordination process and the Commission's licensing process to generate the service contours and interference contours in the assignment of the Industrial/Land Transportation, Business, and General Category frequencies. CECO understands that most of the Commission-certified frequency advisory committees base the contour analysis required by Section 90.621(c) and (d) on the R-6602 curves. This propagation method does not take into account the terrain factors found in the areas in which an existing system and a proposed system would operate. In certain areas, where the terrain significantly affects radio frequency propagation, utilization of the R-6602 curves is unreliable and does not provide sufficient interference protection to the existing system. In these cases, a terrain-based propagation method is needed to determine the separation required between existing systems and proposed systems. Accordingly, CECO urges the Commission to provide the Commission-certified frequency advisory committees the discretion to employ in the generation of the required contour analysis the propagation methodology that is most appropriate for the area of the country in which the existing system and proposed system are located, or permit the coordinator to require or permit the applicant to submit

it interference analysis derived from a terrain-based propagation model.

**WHEREFORE, THE PREMISES CONSIDERED,** the Commonwealth Edison Company urges the Commission to grant the Petition for Rule Making filed by the National Association of Business and Educational Radio, Inc. and to expeditiously initiate a rule making proceeding to include the further requests herein.

Respectfully submitted,

**COMMONWEALTH EDISON COMPANY**

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Dated: August 12, 1992

CERTIFICATE OF SERVICE

I, Terri Clegg Thomas, a secretary at the law firm of Keller and Heckman, do hereby certify that a copy of the foregoing Statement of Support of Commonwealth Edison Company was forwarded to the parties listed below this 12th day of August 1992 by United States mail, first class, postage pre-paid:

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