

Date: July 2, 2019

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: WT Docket No. 17-200; Review of the Commission's Rules Governing the 896-901/935-940 MHz Band

Dear Ms. Dortch:

These comments are filed by Jackson Electric Membership Corporation to oppose adoption of the Notice of Proposed Rulemaking ("*NPRM*") in the above-referenced proceeding seeking to reconfigure the 896-901/935-940 MHz ("900 MHz") band.<sup>1</sup> The band currently is authorized exclusively for narrowband communications by Business/Industrial/Land Transportation ("B/ILT") licensees and Specialized Mobile Radio ("SMR") providers.<sup>2</sup> Jackson EMC uses these frequencies for their mobile radio system. This radio system is used for critical voice communications for daily system work and during emergencies. This communication is recorded for safety review, and there is an emergency assist button on each radio which, when pressed, will alert dispatch that field personnel need emergency assistance.

The *NPRM* proposes to realign the 900 MHz band to insert a 3/3 megahertz broadband segment mid-band and to relegate narrowband operations to the outer portions of the 900 MHz band without a guard band to protect the narrowband incumbents. This would disrupt ongoing narrowband operations, cause interference to the remaining narrowband licensees, and leave little or no opportunity for narrowband incumbents to grow their systems as their needs require and circumstances change. All this for a small 3/3 megahertz broadband segment that the *NPRM* recognizes "would have relatively limited capacity and speed compared to existing nationwide and regional 4G networks and, by itself, might not be able to serve direct-to-consumer demand in densely populated areas."<sup>3</sup> In other words, a 3/3 megahertz segment is not high-speed broadband and is not worth the disruption.

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<sup>1</sup> *Review of the Commission's Rules Governing the 896-901/935-940 MHz Band*, Notice of Proposed Rulemaking, FCC 19-18 (rel. Mar. 14, 2019) ("*NPRM*").

<sup>2</sup> *Id.* at ¶ 1.


<sup>3</sup> *Id.* at ¶ 12.

To maintain the integrity of the band for continued narrowband operations by utilities and other B/ILT entities, the realignment proposed in the *NPRM* should be rejected. As discussed in the comments submitted by the Critical Infrastructure Coalition, the dangers and costs associated with the proposal outweigh any benefits. If the Commission nevertheless moves forward with the proposal, the decision whether to reconfigure should be made market-by-market on a truly voluntary basis. Any relocation also must be voluntary. Unless all narrowband incumbents are protected or agree to move to new spectrum, a broadband reconfiguration should not take place.

Although the Commission should not adopt any form of mandatory relocation, if a mandatory approach is taken the Commission must ensure that it not go forward until a demonstration is made that all site-based incumbents being relocated will receive systems with comparable coverage and capacity. The *NPRM*'s tentative proposal that the replacement spectrum the prospective broadband licensee offers for the purposes of relocation may not exceed the incumbent's current spectrum holdings in the county must be rejected.<sup>4</sup> Because of compression of the narrowband spectrum, incumbents may need more sites and more channels to achieve the same coverage and capacity; and any increased costs must be reimbursed. Although the *NPRM*'s proposal to exclude complex systems from mandatory relocation is appropriate,<sup>5</sup> the threshold should be much lower than the 65 or more sites proposed. The threshold should be at most 25 sites, with no requirement that the service areas be contiguous.

For these reasons and those discussed in the comments of the Critical Infrastructure Coalition, the Commission should not go forward with this rulemaking.

Respectfully submitted,

  
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<sup>4</sup> *Id.* at ¶ 36.

<sup>5</sup> *Id.* at ¶ 38.