

September 1, 2017

VIA ELECTRONIC FILING

David L. Furth
Deputy Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Canadian Border Enhanced Specialized Mobile Radio (“ESMR”) Dividing Line

Dear Mr. Furth:

In its *Second Report and Order*, the Federal Communications Commission (“FCC”) stated that “[t]he dividing line between ESMR and non-ESMR spectrum will vary by region depending on the number of incumbent non-ESMR systems that must be accommodated” along the U.S.-Canada border.¹ The FCC required the 800 MHz Transition Administrator, LLC (“TA”) to identify “the dividing line between the ESMR and non-ESMR portions of the band for Regions 1 through 6” and stated that the TA “may wait until replacement frequencies have been assigned and negotiations are complete” before identifying it.² The FCC directed the TA to identify the dividing line for Canadian Border Region (“CBR”) numbers 1 through 6.³

The TA has provided proposed replacement frequencies to licensees along the U.S.-Canada border, all Frequency Reconfiguration Agreement negotiations between such licensees and Sprint are complete, and all replacement frequencies have been licensed. Pursuant to the *Second Report and Order*, the TA hereby identifies the dividing line between the ESMR and non-ESMR portions of the band for CBRs 1 through 6.

The TA determined the highest frequency occupied by a non-ESMR licensee in each CBR by reviewing replacement frequency proposals for 800 MHz licensees, amendments to frequency proposals, and licensing records in the FCC’s Universal Licensing System (“ULS”). The TA then identified the dividing line as the frequency 12.5 kHz above the highest frequency licensed by a non-ESMR licensee in each CBR. Appendix A attached to this letter identifies the dividing line in CBRs 1 through 6.

¹ Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Second Report and Order*, 23 FCC Rcd 7605, 7609 ¶ 7 (2008); see also 7613 ¶ 17 (“Since the number of channels occupied by B/ILT and high site SMR licensees will vary from region to region, the dividing line between the ESMR and non-ESMR portions of the band will also vary by region.”).

² *Id.* at 7613 n.55.

³ In CBRs 1-6, the upper U.S. primary frequencies were designated as a General Category band. This band varies in size depending on the number of upper U.S. primary frequencies allocated in that region. This band was to be used to relocate non-public safety licensees, public safety licensees for which there were no viable replacement frequencies in the NPSPAC or other public safety bands, and ESMR operators. See *id.* at 7636-39 Appendices C-1, C-2, and C-3.



Sincerely,

A handwritten signature in black ink that reads "Brett S. Haan". The signature is fluid and cursive, with the first name "Brett" being the most prominent.

Brett S. Haan
800 MHz Transition Administrator, LLC

cc: James Goldstein, Sprint Corporation

Appendix A

Canadian Border Region (CBR)	Highest frequency occupied by a non-ESMR licensee (either as a result of rebanding or an incumbent) (MHz)	Dividing Line (MHz)
1	863.2875	863.3000
2	864.8125	864.8250
3	862.9125	862.9250
4	864.1375	864.1500
5	864.1375	864.1500
6*	No Remaining Non-ESMR Frequency Licensed	862.2500

Notes:

The frequency in the second column reflects the highest frequency occupied by a non-ESMR licensee (either as a result of rebanding or an incumbent) in that CBR.

* In CBR 6, Alaska, all non-ESMR call signs that were reconfigured into the General Category band, which is shared by ESMR and non-ESMR operations, have subsequently been cancelled by the licensee. Therefore the Dividing Line shown is 12.5 kHz above the highest Canadian primary frequency and 12.5 kHz below the lowest upper U.S. primary frequency in the General Category band and therefore all frequencies in that band would be available for ESMR.