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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In the Matter of)
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Replacement of Part 90 by Part 88)
to Revise the Private Radio Land)
Mobile Radio Services and Modify)
the Policies Governing Them)

PR Docket 92-235

COMMENTS OF THE
ALARM INDUSTRY COMMUNICATIONS COMMITTEE

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Summary

The Alarm Industry Communications Committee (AICC) represents a membership dedicated solely to "promoting the safety of life and property," through its network of alarm monitoring stations (called "central stations") in virtually every population center in the country. The safety services so provided fulfill a fundamental spectrum management goal articulated by the Communications Act of 1934, as amended. 47 U.S.C. § § 151, and 332 (1988).

AICC supports the Commission's effort to induce even greater spectrum efficiency through channel splitting, since most AICC alarm transmissions already are narrowband. However, most Private Land Mobile Radio Service (PLMRS) licensees do not yet operate with narrowband equipment, and would require expensive upgrades to do so. Therefore, AICC urges that the Commission split existing PLMRS 25 kHz channels into 12.5 kHz channels no sooner than the year 1998. AICC also supports the Commission's proposed second phase of channel splitting, which would reduce bandwidth to 6.25 kHz for UHF channels. However, since there is no conclusive evidence on the record that field tested and affordable 6.25 kHz equipment is available, the Commission should establish a "safety valve" procedure whereby a mandatory transition to true narrowband will be postponed if in the year 2004 the industry presents a showing that adverse consequences would arise from such transition. It is hoped that technology and

the marketplace will lead the way to narrowband for most of PLMRS before 2004.

However, AICC's support is conditioned upon the implementation of safeguards to solve the unintended displacement from offset channels of vital fixed signaling. For central station alarm frequencies only, when the Commission implements its proposed first step to channel splitting (split each 25 kHz central station primary channel into a 12.5 kHz channel flanked by two 6.25 kHz channels), it should reserve the newly created narrowband channels for central station operations only. It should also grant co-primary status for fixed signaling, on the new 6.25 kHz channels created in the central station alarm frequencies. These safeguards would allow displaced fixed signaling to migrate to the 6.25 kHz channels, and would afford mobile operations on the 12.5 kHz channels greater adjacent channel protection than currently afforded. They would also provide a net positive spectrum yield, thereby furthering the Commission's refarming goals.

AICC adamantly opposes the onerous proposed power and antenna height limitations. These measures will not encourage exclusivity, nor will they induce the spectrum efficiency apparently anticipated.

AICC urges that the reserved allocation of central station alarm frequencies in Rule Section 88.733 be clarified, as apparently intended, by minor wording changes in the

language of the proposed rules. AICC also urges that the current definition of central station alarm be carried over into the new rules. Furthermore, AICC opposes the proposed "vertical stacking" coordination requirements for the reasons outlined herein.

With regard to the Commission's proposal to create frequency "pools", AICC urges the Commission to reclassify central station operations as part of the Public Safety Pool, with the understanding that central stations would not be eligible for currently allocated public safety channels, but instead would bring the central station spectrum into the pool (and would maintain separate frequency coordination responsibility). Such reclassification would recognize the vital role played by the alarm industry in public safety and law enforcement, and would facilitate cooperative radio operations between government entities and alarm companies.

Finally, regardless of the frequency pooling scheme adopted by the Commission, AICC strongly urges the Commission to adopt a "public safety" exception to the loading requirements needed to justify an exclusive use overlay. Such exception is vital to ensure that less important uses of the spectrum do not exhaust channels needed for safety-related operations.

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The Alarm Industry Communications Committee (AICC) hereby submits its Comments in response to the Commission's Notice of Proposed Rule Making (NPRM) in the captioned proceeding, released November 6, 1992.

I. PRELIMINARY STATEMENT

The AICC represents the vast majority of entities providing central station alarm security protection. AICC members fulfill a fundamental spectrum use goal articulated by the Communications Act of 1934, as amended (the Act). These companies and associations are dedicated solely to "promoting the safety of life and property through the use of wire and radio communication." Section 1 of the Act, 47 U.S.C. § 151. Although not allocated Public Safety Radio Service frequencies, central station alarm services frequently act as the "front line" in dispatching municipal police and fire units, whose radio operations are part of the Public Safety Radio Service. Silent sentinels placed in predetermined locations sense fire, intruders or other threats to persons and property, and instantly transmit this data to

a central station that is monitored by personnel trained in handling such matters. The central station personnel in turn alert the dispatch office of municipal authorities, usually police or fire departments. The municipal operation then dispatches over Public Safety Radio Service frequencies to mobile police, fire and ambulance units, which respond to the emergency situation. Due to direct interconnection with radio departments in many instances the fixed station

Underwriters Laboratories (UL) tests and sanctions, for
the industry and the public, central station alarm operations
meeting its high standards, thereby establishing guidelines

private industry would have greater difficulty obtaining financing and insurance, thereby hindering the economy's sluggish recovery. Similarly, many federal, state and local government facilities, which also have available military or police protection, are protected by central station alarm services. Thus, AICC members provide a crucial link in the operation of many sectors of industry and government.

**II. AICC SUPPORTS THE PROPOSED TRANSITION TO
12.5 kHz BANDWIDTH FOR ALL PART 90 USERS,
NO SOONER THAN 1998.**

AICC supports the proposed transition to an occupied channel of 10 kHz, in 12.5 kHz band widths, as an appropriate first step toward narrowband. The refarming docket correctly focuses on efficient use of the spectrum through innovation. As discussed below in Sections III and IV, AICC believes that certain protections must be associated with this transition, at least for public safety-related central station alarm operations. Moreover, AICC supports the second phase ~~transition to true narrowband~~ in general and with regard to

The Commission, AICC and the rest of the private radio community find themselves on the verge of an explosion of technology, with ever shrinking lead times between technological breakthrough and product introduction. In such a situation, where change is inevitable, the issue becomes, How much change should be mandated? What direction should this mandate follow, in light of the unforeseeability of certain technical innovations? And how soon should results be required? The Commission may find it desirable to set goals further than the reach of existing technology, with the expectation that technology and products will attain those goals within the time frame mandated. This approach is similar to that of an aggressive businessman who sets high sights, and pushes the organization to achieve the goals.

However, this approach, when utilized by a regulatory agency, may disrupt orderly migration. Questions quickly arise about the mandated effect on long range capital spending programs of public and private entities, which often are set for several years in advance. By moving faster than regular capital spending cycles, the Commission's rules may prove to be a disruptive force, rather than the stabilizing influence ordinarily expected of the regulatory agency.

Much existing equipment may need to be replaced in order to fully implement a new standard of occupied bandwidth of 10 kHz. The Commission should recognize the total cost involved and treat the conversion to 12.5 kHz bandwidth as an equipment

replacement step, rather than the simple "screwdriver adjustment" previously envisioned by preliminary comments. While it may be possible to reduce transmit bandwidth to 12.5 kHz with a "screwdriver adjustment," this adjustment is likely to require replacement of receiver equipment. See Exhibit 2 hereto. Therefore, a mandatory transition to an occupied channel of 10 kHz, with 12.5 kHz bandwidth should be slated

a variety of manufacturers. By focusing industry attention on the 6.25 kHz goal, the Commission has successfully planted the seeds of change. However, in the event that spread spectrum and other broadband technologies that are under development become promising options for alarm companies, the Commission's rule should be flexible enough to allow conversion to such technologies in the future, where possible.

Finally, AICC urges the Commission to adopt a "safety valve" procedure whereby the industry can provide the Commission with a showing that, as of the year 2004, the migration to 6.25 kHz bandwidth goal would be adverse to the effective use of radio in industry operation. AICC expects that a mandatory 6.25 kHz spacing standard for UHF voice operations will be feasible by the year 2004, but wishes to ensure that this second phase transition is not forced on the industry if evidence on the record shows that this transition is not yet technically and economically feasible.

III. THE COMMISSION SHOULD PROVIDE CERTAIN PROTECTIONS WHEN IMPLEMENTING THE PROPOSED NARROWBAND ON CENTRAL STATION ALARM FREQUENCIES.

AICC applauds the Commission's effort to introduce more efficient spectrum use, and supports the Commission's proposal to implement a transition to narrowband operations in two phases. However, this support hinges upon Commission adoption of certain safeguards needed to ensure the continued effectiveness of vital central station operations. In particular, AICC urges the Commission to designate as "central

station-only" channels the narrowband frequencies to be created from the current reserved central station spectrum. The AICC also urges grant of co-primary status to fixed signaling, on those 6.25 kHz channels to be created from the central station alarm reserved frequencies during the first phase of channel-splitting.

The Commission proposes to transition all Part 88 users to narrowband operation, in two steps. First, the Commission proposes to split each 25 kHz-wide channel into a 12.5 kHz-wide channel centered on the current frequency and create two 6.25 kHz channels on either side. At a later date, the Commission would further split the 12.5 kHz bandwidth channel into two 6.25 kHz channels.

As outlined below, implementation of even the first proposed step would make the current UHF offset channels unacceptably narrow, thereby forcibly displacing central station signaling. Rather than opposing the proposed channel splitting, with its attendant spectrum efficiency gains, AICC supports the Commission's refarming initiative, so long as a viable alternative is provided for central station signaling by granting co-primary status on the newly created 6.25 kHz channels. Central station signaling now performed on the UHF offsets would move to the new 6.25 kHz channels, on a co-primary basis. However, on the 12.5 kHz channels, mobile voice transmissions would continue to receive primary

protection, with any 12.5 kHz fixed signaling receiving secondary status.

The two actions urged by AICC (reserving new narrowband channels for central station use and granting co-primary status to fixed signaling on narrowband channels) would result in several benefits. First, the Commission's channel splitting goals would be promoted. Even with the current offset operations migrating to narrowband channels, there would be a new, unoccupied narrowband frequency pair created for each of the current primary alarm channels. Second, a viable alternative would be provided for displaced fixed signaling. Third, mobile voice transmissions on the 12.5 kHz channels would continue to receive protection from co-channel interference due to fixed signaling. Fourth, adjacent channel interference would be reduced or eliminated by placing greater separation between signaling and mobile transmissions.

The co-primary status safeguard advocated by AICC for the central station frequencies is discussed in greater detail below.

A. The Commission Should Grant Co-Primary Status To Signaling On Central Station Narrowband Channels

The Commission should grant co-primary status to fixed alarm signaling. This safeguard is necessary because otherwise, proposed Part 88 rules would have the effect of forcibly removing these vital transmissions from UHF offset channels. Also, for many central station operations, no

viable alternative to UHF offset channel signaling presently exists. Finally, grant of co-primary status would be supported by the Communications Act, public expectations, and policy goals for PLMRS enunciated by Congress in the Act.

1. **Co-primary status.**

- a. **Proposed Part 88 rules would forcibly remove central station signaling from UHF offset channels.**

Central station alarm signaling on the offset channels in many cases already operates at the narrowest channel width proposed by the Commission, namely, 5 kHz. Offset channels occupy the 5 kHz of spectrum located between primary channels, which usually have an occupied bandwidth of 20 kHz or less, out of the 25 kHz spacing between primary channels. These offset channels are used to transmit alarm and status signals from protected premises to the central station, in response to polling by the central station, or activation of an alarm. The Commission's transition to narrowband technology will unintentionally force migration of one of the few existing narrowband PLMRS operations. Thus, the creation of new frequencies through channel-splitting will also eliminate the use of many heavily used channels, thereby defeating the spectrum efficiency goal of the Commission's proposal.

Two factors would combine to force the departure of signaling. First, the proposed transition to an occupied channel of 10 kHz (with primary channel separations of 12.5

kHz) would result in offset channel widths of 2.5 kHz, or one half the size of existing offsets. Placement of offsets between the proposed 6.25 kHz channels (at the sides of each

to move its fixed signaling to the newly created 6.25 kHz channels, so long as that signaling will be accorded co-primary status. This would solve the unintended problem of forcible displacement of vital signaling, which as detailed

The legislative history to the Communications Amendments Act of 1982, which enacted Section 331 of the Communications Act, 47 U.S.C. § 332 (1982), indicates Congressional intent that the Commission "should consider users' operational requirements," in determining whether a "viable alternative" exists to spectrum allocation. 1982 U.S. Code Cong. and Ad. News 2237, 2250-51 (Senate Report).

If signaling operations were displaced, there would be no viable alternative fully meeting operational requirements of central station alarm UHF licensees. Alternative methods of signaling the central station make a poor substitute for the UHF offsets. For example, signaling is performed in the 900 MHz multiple address system (MAS) channels, pursuant to Part 94 of the Commission's rules. However, these channels are not suitable to all central station operations since MAS equipment is too expensive for many central station alarm services. Also, these microwave channels are currently allocated for wideband (12.5 kHz) operation, and it would be wasteful to relocate narrowband offset operations to these channels. Moreover, these channels are fully licensed and unavailable to new licensees in most major metropolitan areas.

Use of wireline is not a viable alternative to UHF fixed signaling. Public dial up lines and switches are susceptible to delays and interruptions, particularly during public emergencies, when unexpected surges in call volume can

temporarily disable the public switched telephone network.

central station UHF signaling through grant of co-primary status on the newly created narrowband channels would be supported by sound statutory and policy bases.

c. The Communications Act and public policy support grant of co-primary status for central station signaling.

Granting co-primary status to central station alarm signaling would (1) be consistent with statutory goals, (2) fulfill consumer expectations, and (3) be supported by PLMRS policy rationale.

Section 1 of the Act sets out the rationale for authorization of FCC management of the spectrum. 47 U.S.C. § 151 (1988). Prominent among them is provision of "rapid, efficient" radio services "at reasonable charges . . . for the purpose of promoting safety of life and property . . .". Id. As noted above, central station alarm services are dedicated solely to "promoting safety of life and property."

of life and property;" Id. Thus, the Communications Amendments Act of 1982 reinforces Section 1 of the Act by ranking promotion of safety at the top of the list. The Conference Report for this legislation indicates Congressional intent that the Commission not only consider the policy goals promulgated by this section of the Act, but also take actions in fulfillment of these goals. 1982 U.S. Code Cong. and Ad. News 2237, 2296. The priority ranking of safety considerations is reinforced by other indications of Congressional intent: "Radio services which are necessary for the safety of life and property deserve more consideration in allocating spectrum than those services which are more in the nature of convenience or luxury." Id. at 2250 (Senate Report).

The Commission does not discharge its statutory mandate to put safety first in allocating PLMRS spectrum merely by placing public agencies in the preferred Public Safety Radio Service. Sections 1 and 332 of the Act do not distinguish between government and non-government licensees, but instead focus on promoting safety when setting spectrum management priorities. In the current vernacular, it is conduct (promoting safety of life and property), not status (government vs. non-government) that fulfills statutory objectives. While Congress intended that the Commission "be ever vigilant to promote the private land mobile spectrum needs of police departments and other public agencies"

1982 U.S. Code Cong. and Ad. News 2237, 2296 (Conference Report), this intent does not (and could not) establish in public agencies a monopoly on promotion of safety of life and property. Congress appropriately recognized that police departments and other public agencies promote safety and deserve priority treatment. However, the "thin blue line" has only gotten thinner due to budget cuts, and increasingly must depend on private entities to ensure safety. As of 1988, the private security industry employed twice as many people as government law enforcement agencies. This disparity has only grown with the recession straining local government budgets. Central station alarm services deserve priority allocation under the Act since they work hand-in-hand with public agencies to promote the safety of life and property.

As described above, fixed signaling is crucial to central station alarm operation. However, the Commission has continued to relegate this signaling to "a secondary, non-interference basis to the primary mobile operation of any other licensee." Report and Order, 7 FCC Rcd 4574, 4575 (PR Dkt No. 91-322, released July 22, 1992). The rationale for relegating signaling to secondary status has been to "preserve the land mobile nature of the Part 90 services." Id. As outlined below, central station alarm signaling enhances the mobile quality of Part 90 services by facilitating mobile dispatch. However, even if central

station fixed signaling is not considered to be mobile, the Commission should not replace the policy goals of the Act with its own. The Act anticipates that the Commission will put safety first when allocating PLMRS spectrum. Where no viable alternative has been provided for PLMRS fixed

should be allocated to "put safety first" are frustrated where central station signals to police dispatchers are hindered due to their secondary status.³

Third, Commission policy supports granting co-primary status to central station alarm signaling. Unlike many fixed transmissions, central station alarm signaling is performed solely as an adjunct to provision of mobile service. The raison d'etre for a central station alarm signal is to dispatch mobile units, whether it be police, fire, ambulance or private security units. The Commission should distinguish between central station alarm fixed transmissions which support mobile services, and the fixed signaling of other PLMRS licensees, which may not support the provision of mobile services. Central station alarm signaling promotes

imminent danger that is not currently available through the use of Public Safety Radio Service frequencies.

³ The Commission recently recognized the importance of an immediate response to emergency situations, in making available additional spectrum for fire call boxes. See Report and Order, PR Docket No. 92-153, Mimeo No. FCC 93-215, released May 18, 1993. Therein, the Commission observed that "[f]ire call boxes enable passersby to inform local authorities about fires quickly, thereby decreasing response time and saving countless lives and property. If a call box message is subject to interference, valuable moments may be lost, and the fire may inflict substantial damage." Id. at para. 3. It is respectfully submitted that fixed radios on alarmed premises are, in essence, a form of emergency call boxes which are effective in "decreasing response time and saving countless lives and property." If there is any delay in this service due to unavailability of channels, crowding of other users on the channel, or secondary status of fixed signalling, "valuable moments may be lost."

and enhances the mobile quality of PLMRS, and should be protected and advanced through co-primary status.⁴

NICE accordingly urges the granting of co-primary status

