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holding thousands of licenses in the private land mobile services.

For the past 19 years, NABER has been the recognized frequency coordinator in the 450-470 MHz and 470-512 MHz bands for the Business Radio Service. NABER is also the Commission's recognized frequency coordinator for the 800 MHz and 900 MHz Business Pools, 800 MHz General Category channels for Business eligibles and conventional SMR Systems, and for the 929 MHz paging frequencies. In its Report and Order in PR Docket No. 83-737, the Commission designated NABER as the frequency coordinator for all Business Radio Service frequencies below 450 MHz and, in a joint effort with the International Municipal Signal Association ("IMSA") and the International Association of Fire Chiefs ("IAFC"), the Special Emergency Radio Service frequencies.

In the Notice, the Commission, among other things, proposed to make marine VHF public correspondence channels 24-28 and 84-87 available for sharing with certain Industrial/Land Transportation Radio Services eligibles on a co-primary basis. The Commission proposed to limit the sharing of the aforesaid channels to areas in which maritime channels are not in use. It proposed to permit use of the channels by private land mobile radio service users in areas more than 55 miles from navigable waterways and existing co-channel public coast stations.

The Commission received several Comments pertaining to its proposal to permit sharing of the maritime channels by private land

mobile radio users, which generally supported the proposal.² The Associated Public-Safety Communications Officers, Inc. ("APCO") and the Forestry-Conservation Communication Association ("FCCA") supported the Commission's proposal, but urged the Commission to make a portion of the channels available for public safety use. APCO also urged that should the Commission amend its rules to permit use of the maritime channels for private land mobile radio use, the Commission should delay the effective date until after the Commission has acted in the refarming proceeding.³ The Utilities Telecommunications Council ("UTC") supported the proposal and urged the Commission to limit the sharing to Industrial/Land Transportation Radio Services eligibles. UTC, however, opposed the certification of the Industrial Telecommunications Association, Inc. ("ITA") as the sole recognized coordinator for these frequencies. UTC recommended that any certified coordinator from the Industrial and Land Transportation Radio Services be permitted to perform coordination for these channels.

After reviewing the Comments pertaining to the Commission's proposal to permit sharing of the maritime public correspondence channels by private land mobile radio users, NABER takes this opportunity to submit these replies.

² Several commenters did oppose the sharing proposal: Association of American Railroads, Marine Telephone Co., and Mobile Marine Radio, Inc.

³ Notice of Proposed Rule Making, PR Docket No. 92-235, 7 FCC Rcd 8105 (1992).

II. DISCUSSION

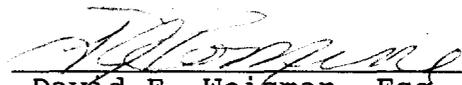
NABER disagrees with UTC that the Commission should limit the sharing of the maritime channels to Industrial and Land Transportation Radio Services eligibles. Like users eligible in the Industrial/Land Transportation services, Business Radio Service eligibles also operate outside areas in which maritime channels would be in use. Similarly, frequencies allocated to the Business Radio Service are also congested in areas without maritime traffic.

Finally, NABER agrees with UTC that narrowband technology not be mandated for use on these channels. Any channel plan adopted by the Commission for these channels, however, should be similar to that adopted in the Commission's refarming proceeding.

WHEREFORE, THE PREMISES CONSIDERED, the National Association of Business and Educational Radio, Inc. hereby respectfully requests the Federal Communications Commission to take action in this proceeding consistent with the comments herein.

Respectfully submitted,

NATIONAL ASSOCIATION OF BUSINESS
AND EDUCATIONAL RADIO, INC.

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