

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

RECEIVED

JUL 19 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Preparation for International)
Telecommunications Union)
World Radiocommunication)
Conferences)

ET Docket No. 93-198

To: The Commission

COMMENTS OF THE
UTILITIES TELECOMMUNICATIONS COUNCIL

Pursuant to Section 1.415 of the Commission's Rules, the Utilities Telecommunications Council (UTC) hereby submits the following comments with respect to the Notice of Inquiry (NOI), FCC 93-328, released June 28, 1993, in the above-captioned matter.

I. INTRODUCTION

UTC is the national representative on communications matters for the nation's electric, gas, water, and steam utilities, and natural gas pipelines. Approximately 2,000 utilities are members of UTC, ranging in size from large combination electric-gas-water utilities serving millions of customers to small, rural electric cooperatives and water districts serving only a few thousand customers. All utilities depend upon reliable and secure communications facilities in carrying out their public service obligations.

No. of Copies rec'd 074
List A B C D E

Many utilities operate extensive private microwave systems in the 1850-2200 MHz (2 GHz) band. UTC is therefore vitally interested in any Commission proposals that could impact the long-term use of this band by existing microwave users, or which could hinder efforts to create an equitable migration plan. Accordingly, UTC is pleased to have this opportunity to provide comment on preparations for the 1993 International Telecommunication Union (ITU) World Radiocommunication Conference (WRC-93).

II. MOBILE SATELLITE SERVICES SHOULD NOT BE INTRODUCED INTO THE 2 GHz BAND

In the 1992 World Administrative Radio Conference, the 1492-1525 MHz, 1525-1559 MHz, 1610-1660.5 MHz, 1675-1710 MHz, 1930-2010, 2110-2200, 2483.5-2520 MHz and the 2670-2690 MHz bands were allocated for mobile satellite services. As part of the NOI the Commission now requests guidance on the formulation of policies with regard to the use of these frequency bands so as to facilitate the development of mobile satellite service (MSS) worldwide.

Whatever changes are deemed necessary to facilitate introduction of MSS worldwide, UTC opposes the introduction of MSS into the 2 GHz band domestically under any conditions other

than the transition framework adopted in ET Docket No. 92-9.^{1/} If MSS licensees are unable to comply with the minimum requirement of the transition framework -- payment of all 2 GHz microwave relocation expenses -- as has been suggested by at least one mobile satellite proponent,^{2/} then such services should not be allowed access to the band.

The transition framework adopted in ET Docket No. 92-9 represents a carefully crafted compromise that allows for the introduction of emerging technologies into the 2 GHz band while at the same time ensuring against disruption to the vital microwave services that currently occupy the band. To introduce MSS into this band at this late date would be manifestly unfair to the fixed microwave community that worked painstakingly with the Commission to create a reasonable transition plan.

More importantly, the introduction of MSS into the 2 GHz band, absent a sufficient migration plan, could jeopardize health, safety and other vital services that rely on 2 GHz microwave operations. Unlike terrestrial mobile services in which a certain amount of fixed/mobile sharing is contemplated,

^{1/} First Report and Order, FCC 92-437, released October 16, 1992, and in an Order adopted July 15, 1993 (the text of which has not yet been released).

^{2/} In a May 11, 1993, Ex Parte presentation to the Commission in ET Docket 92-9, Motorola, Inc. stated its belief that it is not economically feasible for mobile satellite service providers to pay microwave relocation expenses.

most mobile satellite services will necessarily "blanket" the band and interfere with all incumbent microwave operations.

Finally, given the large number of applicant that are currently vying for PCS and other advanced land mobile licenses, it would appear to be in the public interest to restrict the allocation of 2 GHz spectrum to terrestrial based systems. An allocation of additional spectrum for land based systems will allow for greater diversity and competition among service providers, while an allocation of spectrum to MSS will be necessarily restricted to a few dominant licensees. In addition, an allocation to MSS will limit the Commission's flexibility in making future service allocations. For example, there is currently a strong need for an allocation of spectrum for private, non-commercial PCS spectrum to meet the internal communications requirements of public service utilities and public safety entities.

III. CONCLUSION

UTC opposes the introduction of mobile satellite services into the 2 GHz band domestically under any conditions other than the transition framework adopted in ET Docket No. 92-9. The public interest would be best served by confining the allocation of 2 GHz spectrum to terrestrial based services.

WHEREFORE, THE PREMISES CONSIDERED, the Utilities Telecommunications Council respectfully requests the Commission to take actions consistent with the views expressed herein.

Respectfully submitted,

**UTILITIES TELECOMMUNICATIONS
COUNCIL**

By:



Jeffrey M. Sheldon
General Counsel

By:



Sean A. Stokes
Staff Attorney

Utilities Telecommunications
Council
1140 Connecticut Avenue, N.W.
Suite 1140
Washington, D.C. 20036

(202) 872-0030

July, 19, 1993