STATE OF CALIFORNIA—STATE AND CONSUMER SERVICES AGENCY PETE WILSON, *Governor*

DEPARTMENT OF GENERAL SERVICES
TELECOMMUNICATIONS DIVISION
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July 29, 1993

92-235

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Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, NW Room 222
Washington, DC 20554

Dear Mr. Caton:

The State of California submits these Reply Comments in response to the Commission's Notice of Proposed Rule Making, PR Docket Number 92-235, "In the Matter of Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them." The State has addressed specific inquiries made in this proceeding with regard to the impact on state agencies.

In accordance with Section 1.419 of the Federal Communications Commission Rules and Regulations, the State hereby submits a formal filing. Enclosed for filing in this proceeding are an original and nine (9) copies of the State's comments.

Respectfully submitted,

Pete Wanzenried

PETE WANZENRIED
Assistant Division Chief

PW:GSN:km

Enclosures

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

In the matter of	)	
	)	
Replacement of Part 90 by Part 88 to	)	PR Docket No. 92-235
Revise the Private Land Mobile Radio	)	
Services and Modify the Policies	)	
Governing Them	)	

To: The Commission

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REPLY COMMENTS OF THE STATE OF CALIFORNIA

The California Department of General Services, Telecommunications Division is the technical engineering arm for all State agencies and has responsibility for the design, installation, and maintenance of all mobile radio systems used by those agencies. Furthermore, the Telecommunications Division is the single State agency authorized to obtain and hold Federal Communications Commission licenses for the operation of radio facilities in the Land Mobile Services. The State now holds over 3300 licenses in the six Public Safety Radio Services, the Special Emergency Radio Service, and the Business Radio Service. These licenses authorize operation of over 70,000 stations for State use with another 120,000 stations authorized for city/county/local agency use under mutual aid agreements. This proposed modification of the Rules will have a significant financial and operational impact upon the State's use of land mobile radios for many years to come.

In their Comments, The Association of American Railroads proposes an "Offset Guidel

Many of the frequencies in the 450-460 MHz band might be classified as being in a "Public Safety Pool" in that the current Rules allow them to be used equally by any of the public safety radio services. The current coordination process for these frequencies also illustrates how the "Open Coordination" process might work[4]. In the State's experience, this process increases the cost of the coordination[5], increases the time delay in obtaining the coordination[6], and adds little to the quality of the coordination.

In conclusion, the State of California commends the Commission's effort and supports its goal to promote the efficient use of the radio spectrum. The time has come for the private land mobile communications industry, both manufacturers and users, to move forward and make better use of this valuable national resource. Nonetheless, there are significant cost impacts and operational needs which must be considered before a new direction is selected. The State

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4 An applicant desiring to use one of these frequencies submits an application to the coordinator designated as being "primary" for the radio service in which the station will operate. This coordinator reviews the application and, assuming concurrence, forwards it to the other coordinators for review. The application is forwarded to the Commission for processing only after all of the coordinators have concurred with the proposal.

5 The Commission permits a coordinator to charge a fee for conducting a frequency coordination. Currently, all of the coordinators charge a fee when they function as the "primary" coordinator. The amount of this fee varies from coordinator to coordinator. AASHTO also charges a fee for conducting a "cross coordination" (i.e. review of a coordination performed by one of the other coordinators). Thus, unless AASHTO is the "primary" coordinator, applicants in the 450-460 MHz band currently pay frequency coordination fees to two of the frequency coordinators and could be required to pay frequency coordination fees to all four of the Public Safety frequency coordinators.

6 Commission guidelines permit frequency coordinators to average 20 working days in the processing of applications. In some cases, however, the frequency coordinators do not consider the 20-day clock to have started until such time as they have received all "necessary" materials, including their fees. Since many governmental entities require submittal of a proper invoice before payment can be made for services, the time required for processing of payment becomes a significant factor in the total time required for the coordination process. In the State's experience, the need for "cross coordination" adds 90-120 days to the process. In a recent "horrible" example for which the coordinators stated no particular technical concerns about the proposal, the total elapsed time between submittal of an application to the "primary" coordinator and forwarding of that application to the Commission was 300 days.

urges the Commission to consider these items carefully before making any decision.

Respectfully submitted,

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By: Pete Wanzenried
Pete Wanzenried, Assistant Division Chief

July 29, 1993