PCIA Personal Communications Industry Association

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 9, 1995

BY HAND

Rosalind Allen, Chief
Commercial Radio Division
Federal Communications Commission
2025 M Street, N.W.
Room 5002 - Stop Code 2000C
Washington, D.C. 20554

Re: Written Ex Parte Presentation In
PR Docket No. 93-144

Dear Ms. Allen:

Pursuant to our recent ex parte discussions in the referenced proceeding, this letter is submitted to provide further clarification of matters regarding potential relocation (or "retuning") of incumbent 800 MHz SMR licensees.[1] In its Comments and Reply Comments in this proceeding PCIA represented that, contrary to the assertions by other parties in this proceeding, there is not sufficient spectrum available to create an SMR relocation pool from channels in the General Category and Business Pools. Attached for your review is documentation confirming that conclusion.

PCIA stated in its Comments and Reply Comments that the Commission cannot create a "relocation pool" with General Category and/or Business Pool channels, because such channels are heavily used in urban areas, and widely used throughout the country. Just like the SMR Pool, virgin spectrum no longer exists in these pools. According to preliminary research, PCIA noted that Business and Public Safety users make use of the general category channels in many areas of the country, and noted that business channels are not primarily used by SMRs as suggested by some parties.

Pursuant to our discussions after our meeting on March 15, 1995, PCIA staff initiated software design that would display the precise use (private, commercial or both) of channels assigned in the General Category and Business Pools in the top 50 radio markets identified by

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[1] Pursuant to Section 1.1206 (a)(1) of the Commission's rules, two copies of this written ex parte communication are also being submitted to the Commission's Secretary for inclusion in the public record.

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the FCC rules. PCIA, as the FCC certified frequency coordinator for the Business Pool and as one of three coordinators of the General Category Pool, maintains the license records for both pools in its AS400 data base. Since PCIA had never previously had occasion to distinguish and report the nature of private and commercial operations in the two pools, there was no specific way to report and study the channel assignments without designing a special software program. A program was written to identify the types of radio services assigned in each of the pools within a 64 kilometer (40 mile) radius of the center coordinates of each of the top 50 radio markets as identified by the FCC rules. The program was written to identify license codes associated with private radio systems (e.g., GB, GO, GP, YB, YO, YP) and commercial radio systems (e.g.,GX, YX) in the two pools. After polling the pools the software was designed to display the results in four columns for each pool. The printout display identified the number of channels assigned solely to private radio operations, the number of channels assigned to commercial radio operations, the number of channels assigned to a combination of private and commercial operations and the number of channels still unassigned in the pools within 64 kilometers of the center coordinates in each market. The 64 kilometer radius was chosen because it represents the typical radius of an SMR operator's service area.

The results of the software run confirm that the 150 General Category Pool and 50 Business Pool channnels are poor candidates for an SMR relocation pool. The attached chart identifies channel assignments on the General Category and Business Pools in the top 50 markets. With few exceptions [2], the study shows extensive use of both General Category and Business Pools by private licensees. Moreover, there are simply not a significant number of common channels available throughout the country that would provide sufficient capacity for relocation pools of the magnitude requested by other parties in this proceeding.[3]

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[2] Seven of the top 50 markets are located in either the Canadian or Mexican border regions. Although different frequencies are available in different border regions the software was not designed to identify them. Therefore, study results for the cities of Detroit (Market No. 5), Cleveland (16), San Diego (18), Seattle (20), Buffalo (25), Rochester (34), and Toledo (47) do not offer good representative figures and are not factored into the study results highlighted here.

Also, the software was not designed to incorporate the Northern California co-channel separation matrix. Therefore the study results for San Jose (27) and Sacramento (35) may indicate the availability of some channels within 64 kilometers of those cities, but it is unlikely those channels would be useable based on the matrix.

[3] Only 18 of the top 50 markets show more than 100 of the 150 General Category channels assigned solely to commercial licensees as of April 24, 1995. Only five of the top 50

Any study that includes facts and figures is subject to some interpretation. Nevertheless, the study results attached hereto offer conclusive evidence of the inadequacy of the General Category and Business Radio Pools as relocation candidates for 800 MHz SMR licensees. Please contact me if you have any questions or comments about the results of the study.

Respectfully submitted,

PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION

By: Robert L. Hoggarth

Robert L. Hoggarth
Director - Regulatory Relations

Attachment
cc: Office of the Secretary (two copies)
Mr. David Furth, Esq. - Commercial Radio Division

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markets show more than 20 of the 50 Business Pool channels assigned solely to commercial operations.

City Rank	City	Latitude	Longitude	General Private	General Commercial	General Mixed	General Unused	Business Private	Business Commercial	Business Mixed	Business Unused
1	New York, NY - Northeastern NJ	40:45:06	73:59:39	83	21	46		47	2	1	
2	Los Angeles - Long Beach, CA	34:03:15	118:14:28	45	46	59		23	14	13	
3	Chicago, IL - Northwestern IN	41:52:28	87:38:22	48	25	77		38	4	8	
4	Philadelphia, PA-NJ	39:56:58	75:09:21	51	77	22		31	16	3	
5	Detroit, MI	42:19:48	83:02:57								
6	Boston, MA	42:21:24	71:03:25	34	101	15		44	6		
7	San Francisco - Oakland, CA	37:46:39	122:24:40	60	44	46		39	3	8	
8	Washington, DC-MD-VA	38:53:51	77:00:33	87	27	36		44	3	3	
9	Dallas - Fort Worth, TX	32:47:09	96:47:37	24	86	40		18	24	8	
10	Houston, TX	29:45:26	95:21:37	21	73	56		17	18	15	
11	St Louis, MO-IL	38:37:45	90:12:22	18	122	10		46	4		
12	Miami, FL	25:46:37	80:11:32	44	71	35		30	11	9	
13	Pittsburgh, PA	40:26:19	80:00:00	8	139	3		33	16	1	
14	Baltimore, MD	39:17:26	76:36:45	91	28	28	3	33	4	3	10
15	Minneapolis - St Paul, MN	44:58:57	93:15:43	45	80	25		32	13	5	
16	Cleveland, OH	41:29:51	81:41:50								
17	Atlanta, GA	33:45:10	84:23:37	74	47	29		41		9	
18	San Diego, CA	32:42:53	117:09:21								
19	Denver, CO	39:44:58	104:59:22	30	95	25		30	13	7	
20	Seattle - Everett, WA	47:36:32	122:20:12								
21	Milwaukee, WI	43:02:19	87:54:15	8	128	12	2	19	8	6	17
22	Tampa, FL	27:56:58	82:27:25	62	59	29		28	21	1	
23	Cincinnati, OH-KY	39:06:07	84:30:35	34	92	8	16	27	5	1	17
24	Kansas City, MO-KS	39:04:56	94:35:20	29	114	7		32	12	6	
25	Buffalo, NY	42:52:52	78:52:21								

City Rank	City	Latitude	Longitude	General Private	General Commercial	General Mixed	General Unused	Business Private	Business Commercial	Business Mixed	Business Unused
26	Phoenix, AZ	33:27:12	112:04:28	42	49	59		35	10	5	
27	San Jose, CA	37:20:16	121:53:24	36	48	57	9	31	3	7	9
28	Indianapolis, IN	39:46:07	86:09:46	20	115	12	3	41		1	8
29	New Orleans, LA	29:56:53	90:04:10	61	41	48		48	2		
30	Portland, OR-WA	45:31:06	122:40:35	34	93	23		33	12	2	3
31	Columbus, OH	39:57:47	83:00:17	11	126	10	3	30	2	1	17
32	Hartford, CT	41:46:12	72:40:49	35	90	18	7	36		3	11
33	San Antonio, TX	29:25:37	98:29:06	6	141	2	1	19	23	4	4
34	Rochester, NY	43:09:41	77:36:21								
35	Sacramento, CA	38:34:57	121:29:41	26	74	10	40	11	4	1	34
36	Memphis, TN-AR-MS	35:08:46	90:03:13	12	122	15	1	44	1	2	3
37	Louisville, KY-IN	38:14:47	85:45:49	14	132	3	1	31	17	1	1
38	Providence - Pawtucket - Warwick, RI-MA	41:49:32	71:24:41	19	97	24	10	18	6		26
39	Salt Lake City, UT	40:45:23	111:53:26	11	133	5	1	31	18	1	
40	Dayton, OH	39:45:32	84:11:43	20	103	7	20	39	1	4	6
41	Birmingham, AL	33:31:01	86:48:36	4	135	8	3	48			2
42	Bridgeport, CT	41:10:49	73:11:22	42	63	24	21	22	5		23
43	Norfolk - Portsmouth, VA	36:51:10	76:17:21	13	123	13	1	41	6	3	
44	Albany - Troy - Schenectady, NY	42:39:01	73:45:01	6	141	2	1	17	16		17
45	Oklahoma City, OK	35:28:26	97:31:04	12	135	3		18	30	2	
46	Nashville - Davidson, TN	36:09:33	86:46:55	2	139	9		39			11
47	Toledo, OH-MI	41:39:14	83:32:39								
48	New Haven, CT	41:18:25	72:55:30	39	80	24	7	37	7		6
49	Honolulu, HI	21:19:00	157:52:00	2	129	19		44	6		
50	Jacksonville, FL	30:19:44	81:39:42	31	105	14		18	32		