

**ORIGINAL**

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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OCT 2 - 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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 )

PR Docket No. 92-235

DOCKET FILE COPY ORIGINAL

To: The Commission

**RESPONSE TO APCO OPPOSITION TO PAGE HAWAII  
PETITION FOR RECONSIDERATION**

Page Hawaii, Inc. ("Page Hawaii"), by its attorneys and pursuant to Section 1.429 of the Commission's Rules [47 C.F.R. § 1.429], hereby submits its response to the Opposition and Comments in Response to Petitions for Reconsideration ("Response") filed by the Association of Public-Safety Communications Officials Inc. ("APCO") in the above-captioned proceeding.

In its Response, APCO implies that the change and/or clarification requested by Page Hawaii "would fundamentally alter [the reforming decision's] scope and direction." This is simply not the case and the Commission should disregard APCO's exaggerated claims.

Specifically, APCO's Response incorrectly characterizes Page Hawaii's Petition for Partial Reconsideration or Clarification as requesting increased power for Private Carrier Paging ("PCP") operations. However, Page Hawaii is not requesting increased power at all. Page Hawaii only asks that PCP systems be allowed to continue with the same power restrictions that applied prior to adoption of the narrowbanding rules -- namely that the Commission retain its prior restrictions on transmitter output power, but not limit effective radiated power, as the height/power tables of Rule Section 90.205 would do

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Paging systems are fundamentally different than the typical land mobile system licensed under Part 90. Most systems below 512 MHz are individually licensed to provide intra-company communications within a localized operating area. PCP systems, on the other hand, need to provide wide area communications service. Their customers may be located anywhere within the range of the paging transmitters, and frequently within buildings. In order to provide the reliable service that their customers demand, they must operate at higher ERP levels than two-way radio systems communicating with vehicles and portables operating outside buildings. Indeed, a paging system must be able to offer the widest possible coverage in order to attract customers.

While it may be true that reducing power will reduce the potential for harmful interference, Page Hawaii objects to the "one-size-fits-all" policy underlying APCO's argument. APCO seems to suggest that since there is a higher potential for interference at higher power levels, all stations should operate at low power regardless of whether interference is likely to occur. This is the same as saying that because automobile accidents are less frequent at 25 mph, all roads should be restricted to a maximum speed limit of 25 mph. Such a rule may be simple to administer, but it is certainly no way to regulate traffic.

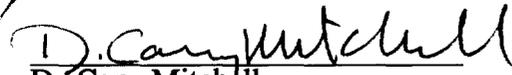
Therefore, the Commission should allow commercial paging applicants to have the power they need to provide adequate service, without having to provide special showings of need for high power. Potential interference may be controlled in the frequency coordination process or resolved through the Commission's established procedures. Then, if interference persists and all stations are operating in accordance with the regulations and the terms of their licenses, the last operator to utilize the spectrum should be responsible for finding a solution.

Respectfully, submitted,

**PAGE HAWAII, INC.**

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Dated: October 2, 1995

**CERTIFICATE OF SERVICE**

I, Elizabeth A. Ebere, hereby certify that a copy of the foregoing "Response to APCO Opposition to Page Hawaii Petition for Reconsideration" was served this 2nd day of October, 1995, by U.S. Mail, postage prepaid, to the following individual at the address listed below:

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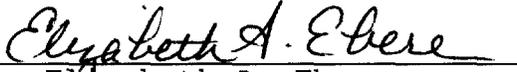
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