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1995

The Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

This letter is in response to the Federal Communication Commission's invitation in Paragraph 52 of its Report and Order in PR Docket 92-235 whereby the Commission invites comments and user input concerning the consolidation of Private Land Mobile Radio Services and frequency coordinators.

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Today's representative frequency coordination has its roots in the Commission's belief that ~~frequency coordinators who are knowledgeable about and representative of the users they serve~~ guarantee effective coordination and prevent discrimination among users. The system was initiated in the late 1940's and continued to develop as the Commission reallocated more spectrum and created additional radio service user-groups. The importance of the system was reinforced in 1986 when the Commission in Report and Order PR Docket No. 83-737, stated "having one coordinator in a radio service will substantially simplify the coordination process and will facilitate the basic purpose of coordination, which is to maximize the quality of frequency recommendations."

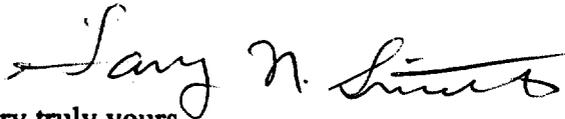
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The current system of industry-specific frequency assignments and user-representative frequency coordinators has served the FCC and the Private Land Mobile Radio Services well for nearly 50 years and should be retained.

A handwritten signature in cursive script, appearing to read "Gary N. Smith". The signature is written in dark ink and is positioned above the typed name "Gary N. Smith".

Very truly yours.



Boise Cascade Corporation

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General Office

1111 West Jefferson
Boise, Idaho 83702
208/384-6161
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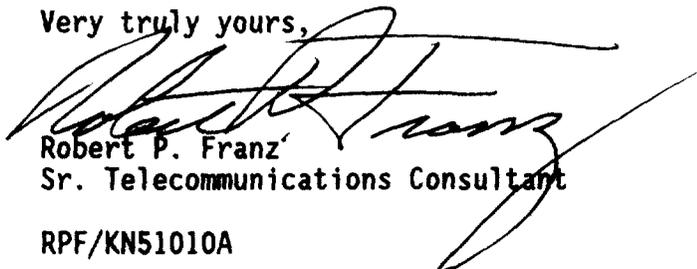
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The Secretary
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Very truly yours,



Robert P. Franz
Sr. Telecommunications Consultant

RPF/KN51010A



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Pine Hill Operations

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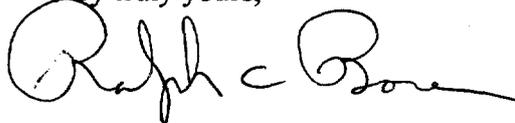
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Very truly yours,

A handwritten signature in black ink, appearing to read "Ralph C. Bower". The signature is fluid and cursive, with a large initial "R" and a long horizontal stroke at the end.

Ralph C. Bower

/ss

EAST COAST LIMESTONE, INC.
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MAPLE HILL, NC 28554
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150-174 and 421-512 MHz... applications... received... after the effective date... this proposal... 7.5... band... 6.25 MHz... any existing... equipment... after this... 2.5 MHz... with narrowband... frequencies... time to establish proper... procedures for these... frequencies.

41. Consolidation of Radio Services

42. Proposal. The Reforming Notice proposed consolidating the radio services in the PLMR bands below 470 MHz.¹⁰² Specifically, we proposed to either consolidate the current radio services into three broad categories: a Public Safety radio service, a Non-Commercial radio service, and a General Category radio service¹⁰³ or to retain the current services with their existing channel assignments, but assign all new frequencies to the three broad categories.¹⁰⁴ In the Reforming Notice, we also proposed that there would be multiple coordinators for the consolidated radio services. Applicants could go to any cognized coordinator for the appropriate radio service.

43. A system of narrowly defined radio services has been in place for decades. The

¹⁰² This action is comparable to our decision to not issue licenses in the 220-222 MHz and unid type accepted equipment became available. See Report and Order, PR Docket No. 89-552, 6 FCC Red 2356, 2365 para. 69 (1991).

¹⁰³ The twenty (20) PLMR services which are the focus of this proceeding are the Public Safety Radio Services (Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, and Emergency Medical), the Special Emergency Radio Service, the Industrial Radio Services (Power, Petroleum, Forest Products, Video Production, Relay Cars, Special Industrial, Business, Manufacturers, and Telephone Maintenance), and Land Transportation Radio Services (Motor Carrier, Railroad, Taxicab, and Automobile Emergency).

¹⁰⁴ Under the Reforming Notice, the Public Safety Radio Service would combine the current public safety services into a radio service similar to the current Local Government Radio Service. The Non-Commercial Radio Service would be defined, as in the 220 MHz band, for internal use by an entity. The General Pool would essentially be the current Business Radio Service, which includes commercial entities.

¹⁰⁵ Reforming Notice at paras. 17-19.

spectrum efficient technologies... in the bands below 470 MHz.¹⁰⁶

45. In the Inquiry, we noted that certain radio services share many of their channels and could be consolidated without significant impact on the groups eligible for those channels.¹⁰⁷ Thus, for the reasons set forth above, the Reforming Notice proposed instituting a system of consolidation to introduce a greater degree of flexibility in the current use of frequencies and maximize the benefits of the PLMR spectrum.

46. Comments. There is no industry consensus on the subject of consolidation of PLMR radio services. The comments filed are evenly divided on whether to consolidate the services. However, all oppose the Reforming Notice's proposal to consolidate into three generalized pools: public safety, non-commercial, and general. Several commenters provide alternative plans suggesting 4-6 radio service pools. For example, ITA, NABER and the Commenters (ITA, CICS, and TELFAC) support a reduction in the number of service pools, but suggest that there should be four or five service pools rather than the proposed three.¹⁰⁸ Those who support consolidation state that the radio services have evolved considerably over the past 30-40 years and that significant changes are necessary. Many note that maintaining 20 services is burdensome and results in inefficient, time consuming means of licenses to users.¹⁰⁹

47. The interservice coordination and sharing may also be improved with consolidation.¹¹⁰ For example, reducing the number of services could improve spectrum efficiency in that users such as police and fire eligible in the Public Safety pool, could be freed from the same pool of frequencies and can therefore, utilize shared channels. Ericsson and SEA note that consolidation should make it easier to develop various blocks of spectrum. In addition, a pool arrangement could eliminate the separate coordination fees that are often imposed on an applicant when he/she is forced to use channels in a radio service other than his/her own.

48. In contrast, public safety, land transportation, and industrial communities

¹⁰⁶ Reforming Notice at para. 16.

¹⁰⁷ For example, the Interurban Passenger, Interurban Property, Urban Passenger, Property Radio Services are already treated in our rules as a combined Motor Carrier Service. See 47 C.F.R. §§ 90.89 and 90.555. The Motion Picture Radio Service uses each of its channels with either the Special Industrial or Relay Press Radio Service. See 47 C.F.R. §§ 90.69 and 90.555.

¹⁰⁸ Joint Comments of ITA, CICS, and TELFAC at 22 and NABER at 22-26.

¹⁰⁹ Joint Comments of ITA, CICS, and TELFAC at 22.

¹¹⁰ Comments of Ericsson GE Mobile at 22-23; Comments of PowerSpectrum, Inc. at 8.

separate radio services were designed to aid in the ease of operation in the assignment of frequencies and to respond to the varied needs of the user community. However, a disadvantage of the system became evident as channel utilization became uneven across the PLMR services.¹¹¹ Recognizing the disparities in channel usage among the PLMR services, in 1981 the Commission instituted rules to facilitate sharing among various radio service categories below 470 MHz.¹¹² The rules provided that in the 150-174 MHz and 450-470 MHz bands, where no satisfactory frequencies are available within an applicant's own radio service in the desired area of operation, an applicant may be assigned channel(s) available in a different radio service.¹¹³ In instituting these rules, within a category of users, frequencies allocated to one radio service may be used in another radio service in the same category.¹¹⁴ The advance of interservice sharing demonstrated the benefits of users reaching beyond their narrowly defined category of services to satisfy their frequency needs.

44. The Reforming Notice recognized that as the need for spectrum has increased, the practice of interservice sharing has become more common in the PLMR environment. However, because of the multiplicity of radio services, the practice of interservice sharing has become more difficult to implement because it is time consuming, expensive, and burdensome.¹¹⁵ In terms of usage patterns, the current allocation system for the radio services inhibits spectrum efficiency by making certain spectrum efficient technologies more difficult to implement. Some digital multiple access techniques, including time division multiple access (TDMA), require several adjacent channels to operate efficiently. Because specific channel allocations for each of the radio services are generally scattered within the PLMR bands, rather than in contiguous blocks, spectrum necessary to implement such techniques is difficult to amass.¹¹⁶ The Reforming Notice, cited the Joint Commenters who note that "[w]ithout consolidation, the industry may find it cumbersome to implement

¹¹¹ In the Reforming Notice, we noted that a study of our licensing database in April, 1992, showed very wide variations in usage, often exceeding factors of ten for channels in the same frequency band designated for different radio services. Reforming Notice at para. 14.

¹¹² Report and Order, PR Docket No. 81-110, 46 Fed. Reg. 55701 (1981).

¹¹³ 47 C.F.R. § 90.176.

¹¹⁴ The Commission established separate categories of users for the purposes of interservice sharing including Public Safety Radio Services, the Special Emergency Radio Service, Industrial Radio Services, and Land Transportation Radio Services.

¹¹⁵ Reforming Notice at para. 16.

¹¹⁶ Inquiry at para. 85.

generally oppose the consolidation proposal. AAR strongly opposes any change of the PLMR service categories. They argue that any change in the PLMR service pools would negatively effect the frequency coordinator function. "[A]ny change of the PLMR service categories and frequency coordinator functions... would deprive the railroads of exclusive use and control of the frequencies that are allotted to them. The national and international scope of the railroad industry and the critical safety aspects of its mobile radio applications are unique among PLMR users and require a separate service category..."¹¹⁷ Further, while NABER favors consolidation of the service pools, it notes that creating multiple coordinators in the various pools may result in a deterioration in the quality of frequency recommendations.¹¹⁸ Those who oppose consolidation do so in part based upon concern over the Commission's proposal to have multiple coordinators for the consolidated services.¹¹⁹ In addition, many note the lack of a common database as a factor preventing consolidation. Some argue that consolidation will unnecessarily complicate and reduce the effectiveness of the frequency coordination process. Some parties state that safety may be compromised if the services are consolidated. APCO indicates that the current service blocks have served public safety well, and should not be eliminated.¹²⁰ Likewise, DMSA, IAPC, and the National Association of State Emergency Medical Service Directors oppose the consolidation proposal and state that the Commission should maintain discrete public safety services.¹²¹ Thus, all public safety entities claim they cannot effectively share with other public safety entities and urge retention of the current system.

49. The Industrial and Land Transportation entities also oppose consolidation. AMRA states that "[t]he Commission has not explained adequately why it wishes to abolish a spectrum management program that has served the interest of land mobile users so well over half a century." They argue, "the proposal to group all land mobile licensees into 3 arbitrary

¹¹⁷ Comments of AAR at 6-7.

¹¹⁸ Comments of NABER at 30.

¹¹⁹ Comments of Celpage at 15; Comments of the Coalition of Industrial and Land Transportation Land Mobile Radio Users at 12-13. (Coalition includes Manufacturers Radio Frequency Advisory Committee, Inc., American Trucking Associates, Inc., Forest Industries Telecommunications, and International Taxicab and Livery Association.

¹²⁰ APCO further argued that, if the Commission consolidates Public Safety radio frequencies into a single radio service, it must designate a single public safety coordinator for all those channels.

¹²¹ The public safety community is one of the most important users of the radio spectrum. Sufficient mobile communication capacity for agencies charged with protecting the public welfare is of critical importance to the overall well being of this nation. Some of the public safety services include, Police, Fire, Highway Maintenance, Emergency Medical and Special Emergency Radio Services.

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groups ignores the specialized requirements of land mobile communications of many user groups, the inherent different priorities in the use of radio, and the successful experience with the current spectrum allocation and management program.¹¹² Further, AMRA asserts that neither the required common database, nor the means for creating and updating such a database in real time are available. ATA states that no problem exists in the radio services.¹¹³ The Coalition of Industrial Land Transportation Land Mobile Radio Users states: "clearly the public interest and Congressional objectives would not be served by the adoption of policies which cast aside the expertise of the well-established and well-functioning coordinator system - expertise which will be especially valuable in facilitating the introduction of new technologies in the private land mobile bands."¹¹⁴

50. Decision. While varying views were expressed in the comments regarding our proposal for consolidation, we continue to believe that consolidation of the PLMR radio services into 2-4 radio services is essential to our goal of increasing efficiency and providing more flexible spectrum use. Consolidation is desirable to ensure more efficient distribution of the additional channels created as a result of the transition to narrowband technology. Our goal is to generally equalize the opportunity cost of spectrum usage across the PLMR environment. In addition, consolidation will permit licensees to utilize technologically innovative and efficient equipment. Further, maintaining the 20 radio services is administratively burdensome; consolidation will lead to greater operational efficiency for users and promote more flexible use of the spectrum. We note however, that we are departing from the proposal in the Reforming Notice. The plan for consolidation presented in the Reforming Notice provides an initial guideline for consolidation. We are not implementing that plan at this time. Instead, we will give the users in the PLMR community further opportunity to submit a proposal that reflects the interests and the needs of the PLMR community. PLMR users can best assess their needs and submit a proposal that is representative of the PLMR community and that is mutually agreeable, reasonable, and equitable. In addition, we encourage each frequency coordinator to participate, together with the PLMR community, so that they may assess the needs of the user groups. In this regard, it is our intention to create competition in the frequency coordination function by allowing users in the newly created service groups to use the services of any designated frequency coordinator. We ask the users and frequency coordinators to provide guidance in their consolidation proposal on how this can best be accomplished and on how the existing database can be shared to ensure fair competition among all of the frequency coordinators. Further, the consolidation proposal should explore creating and implementing a national real

¹¹² Comments of AMRA at 6.

¹¹³ Comments of ATA at 9.

¹¹⁴ Comments of the Coalition of Industrial Land Transportation Land Mobile Radio Users at 13.

time overcrowding and to maintain the critical functions of the users included within this pool. Additionally, we recommend that users consider whether a single coordinator or multiple coordinators should be used for public safety users. Further, while some commenters argue that the existing system of radio services have served the PLMR community well over the last three decades, spectrum use can be more evenly distributed under a system of consolidation. This change in the system can work to improve the efficiency of the spectrum environment.

54. We disagree with those commenters who contend that the coordination process will be negatively affected if the radio services are consolidated. In the Reforming Notice, we proposed that coordinators continue to perform their current role in the PLMR spectrum environment. We specifically proposed that licensees be permitted to use any frequency coordinator of their choice. We did not propose to alter the entire coordination system. Rather, we proposed that users be given latitude to seek the management and assistance of any frequency coordinator desired. These coordinators are familiar with the process, the users, and the current spectrum. Finally, while not advocating the adoption of the multiple coordinator system discussed in the Reforming Notice, we believe that this approach would be consistent with our commitment to encourage more flexibility in the PLMR spectrum. Further, such a system, we believe, will promote competition and benefit PLMR users.

55. Therefore, based upon the discussion above, we have decided to consolidate the PLMR services below 800 MHz. We believe that consolidation permits the introduction of marketplace forces and competition into this system. We will issue final rule amendments on this subject approximately 6 months after the effective date of this order without further notice. These rule amendments will incorporate the PLMR community's consensus plan, if consensus is achieved within the rubric of this Report and Order.

time database to reflect frequency assignments, as expeditiously as possible.¹¹⁵ Also, coordination fees should be discussed in the consolidation proposal filed with the Commission.

51. Most of the objections to consolidation addressed processing difficulties. Others objected to the Reforming Notice's proposal to consolidate services into three categories, and several suggested alternative plans. Our approach gives PLMR users latitude in developing a consolidation proposal which has broader support from the user community. We emphasize, however, that in developing a consolidation proposal, the users should consider that the intended purpose of consolidating radio services is to distribute assignments between low-use and high-use groups more evenly, to simplify interservice sharing procedures, to organize channel allocations that will enable licensees to more easily utilize advanced technologies, and to organize the services in such manner to achieve more efficient and flexible spectrum use. Achieving a consensus on a consolidation plan is the ultimate objective. Although a consensus proposal would be ideal, we are not at this time establishing an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. App. 2, or a negotiated rule making committee, P.L. No. 101-648, 105 Stat. 4969 (1990), 5 U.S.C. §§ 581-590; rather, we are merely encouraging the PLMR community, together with the frequency coordinators, to submit their further views.

52. Since we are further soliciting the views of PLMR users regarding a consolidation proposal representative of the interests and needs of the PLMR community and frequency coordinators, we postpone issuance of a plan in this document. We will give the PLMR community the opportunity to negotiate and submit a comprehensive consensus plan for consolidation to the Commission within 3 months of the effective date of this Report and Order. While not advocating a specific plan for consolidation, nor expressing a preference for the specific designation of the new broad categories, we conclude that reducing the radio services to between 2 (public safety and all other users) - 4 user groups is reasonable.

53. We acknowledge that not all users in the PLMR community support the move toward consolidation. We take this approach however, because we believe that maintaining the existing number of services is unneeded and no longer works as efficiently as when the discrete services were first developed and the spectrum was less heavily utilized. We hope that by encouraging PLMR user input, the concerns of all commenters will be considered. Some of the most vocal advocates for maintaining discrete services are Public Safety users, who state that Public Safety is a unique radio service and should remain unchanged to protect the integrity and operation of the service. As we have described, we recognize the importance of the different services, particularly Public Safety, and encourage users to develop a proposal which includes a Public Safety pool. Further, we recommend that users provide clear guidelines as to the requirements for inclusion in the Public Safety pool to

¹¹⁵ A "real time database" is a database in which each coordinator would immediately update upon recommendation of a specific frequency.

Final Parameters.
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