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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Examination of Exclusivity and)
Frequency Assignment Policies of)
the Private Land Mobile Radio Services)
)
)

92-235
PR Docket No. ~~95-255~~

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To The Commission:

REPLY COMMENTS OF
CITY OF HOUSTON POLICE DEPARTMENT

61 RIESNER ST
HOUSTON, TEXAS 77002

Respectfully Submitted,



Sam Nuchia
Chief of Police

October 13, 1995

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**CITY OF HOUSTON, TEXAS POLICE DEPARTMENT
REPLY COMMENTS**

**Docket PR95-255
Summary Prepared by the
Houston Police Department
Communications Management Division**

The City of Houston Police Department (HPD) is pleased that the Federal Communication Commission established a migration plan that resolves many of the technical issues which have inhibited private land mobile radio (PLMR) utilization of spectrally efficient technologies. The PLMR community is in need of and supports a smooth, cost effective migration to technological advances. This will allow maximum return of investments and full benefit of future radio systems.

The public safety community is the most important user of the radio spectrum and it is imperative that agencies in charge of public safety have effective mobile communication. The adoption of market-based incentives such as the right to exclusively lease excess capacity, spectrum user fees, and/or competitive bidding, is appropriate in order to generate revenue from subscribers and business-based users. However, in this proposal HPD fails to see any advantage for the special communication needs of public safety entities. We strongly object to any policy and/or rule which will restrict the availability of quality communications necessary for the performance of our duties. Therefore, because public safety entities are responsible for the protection of human life and property, I am requesting that they be exempted from user fees, competitive bidding, and any other market based incentive related to the use and acquisition of radio spectrum.

In the past, funding for public safety operations has been limited to tax revenue sources while the economics of the private sector have guided the development of cost-efficient communication systems which are eventually used by public safety. As a result of economic incentives proposed by the FCC, the private sector will develop a spectrally efficient communications market. This will enable public safety entities to support efficient and effective communication systems that are within budgetary constraints.

HPD is not only committed to addressing the needs of public safety users, but also to ensuring the availability of spectrum for them. We feel that any new frequency band allocations which may be developed for use by PLMR should contain reserved channel blocks for use by public safety entities. As new economic frequency technologies are developed for the private sector, a "no cost" reserved spectrum allocation will facilitate reliable communications for public safety users in the future.