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January 22, 1996

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**Via Hand Delivery**

Michelle Farquhar, Chief  
Wireless Telecommunications Bureau  
2025 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: ET Docket No. 92-9;  
Relocation of Microwave Incumbents for PCS;  
Disclosure and Approval Requirements for PCS Testing

Dear Ms. Farquhar:

PowerTel PCS Partners, L.P. ("PowerTel"), by its attorneys, hereby submits its comments in support of the December 22, 1995, letter of Keller and Heckman ("K&H") asking for Commission assistance in enforcing its Prior Coordination Notification ("PCN") requirements between PCS licensees and incumbent 2GHz microwave users.

As an "A" and "B" Block PCS licensee, PowerTel fully understands the need to protect incumbent microwave licensees from harmful interference during all PCS system operations, including short-term and long-term testing procedures. Moreover, PowerTel agrees with K&H that the PCS licensee should include in its PCN "information to demonstrate that no harmful interference will result from the tests."

Unfortunately, the Commission license records do not contain sufficient information to allow the PCS licensee to make the requisite engineering calculations to demonstrate interference-free operation as suggested by the K&H letter. Accordingly, PowerTel has, by formal written request, asked each of the incumbent microwave licensees within the potential interference area for each of its proposed PCS sites, to provide detailed engineering information with respect to each FCC call sign for which there is a potential for harmful electrical interference to occur to or from. Specifically, PowerTel has requested that the incumbent licensees confirm or provide the following information:

- 1) FCC Call sign
- 2) Transmit Frequency

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- 3) Geographic coordinates
- 4) Antenna make, model, polarization and centerline above-ground and ground elevation
- 5) Transmitter and Receiver make and model numbers
- 6) Antenna system information including transmission line type and length (including jumpers), as well as the make and model for all combiners, duplexers, circulators and any other devices in the antenna systems.
- 7) Transmitter output power and Eirp
- 8) Which sites, if any, presently employ diversity receive antennas

The PowerTel letters identify all of the incumbent user's facilities, by call sign, of which PowerTel is aware and asks the incumbent to identify and provide the requested information for any additional facilities which it has that do not appear on the PowerTel lists.

Certain incumbent licensees have taken the position that the "voluntary negotiation" period relieves them of any responsibility to respond to a formal request such as PowerTel's. K&H quite rightly points out that the PCN requirements, and interference-free operation requirements, transcend the microwave relocation negotiation issues. However, the *only* way to comply with those requirements is if the incumbent licensees cooperate in the timely provision of the requisite information to the PCS licensee so that the PCS licensee has a reasonable engineering basis upon which to conclude that there will or will not be harmful electrical interference to the facilities of the incumbent licensees, as they actually exist. Accordingly, PowerTel would urge the Commission to issue a Public Notice reemphasizing that:

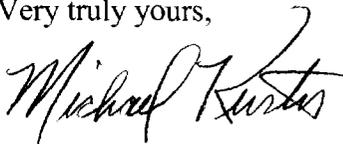
- 1) PCN is required for all PCS operation, including PCS testing
- 2) Incumbent microwave licensees are required, upon request, to provide PCS licensees with the engineering particulars as set forth above, for any facilities for which PCN is required
- 3) PCN is deemed complete if a PCS licensee requests the engineering particulars from an incumbent microwave licensee and that licensee fails to respond to that request for information within 30 days thereof, in which case, the PCS licensee shall be deemed to have satisfied all PCN requirements with respect to such facilities.
- 4) Satisfaction of PCN requirements shall not relieve a PCS licensee from resolving any actual interference cases which subsequently result from the operation of the PCS facilities provided that the incumbent licensee provides the PCS licensee with all requested engineering information and cooperates with all testing reasonably necessary to resolve such interference cases.

PowerTel agrees that PCS licensees should not object to such a Public Notice, nor should incumbent microwave licensees object to providing the requisite information to allow the PCS licensees to accurately calculate the potential for harmful electrical interference, inasmuch as the true motivation driving both the PCS licensee and the incumbent microwave licensee is allowing for the prompt implementation of PCS to the public, while avoiding harmful electrical interference to the incumbent microwave licensees.

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Should any questions arise with respect to this matter, please communicate directly with the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Kurtis". The signature is written in a cursive, flowing style with a large initial "M".

Michael K. Kurtis

cc: Wayne V. Black, Esquire (Keller & Heckman)  
Mr. Thomas Wheeler (CTIA)