

BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment to the Commission's) WT Docket No. 95-157
Rules Regarding a Plan for)
Sharing the Costs of Microwave)
Relocation)

To: The Commission

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**COMMENTS OF
THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
AND THE COUNTY OF LOS ANGELES,
INTERNAL SERVICES DEPARTMENT**

The Los Angeles County Sheriff's Department and the County of Los Angeles, Internal Services Department (collectively referred to herein as "the County"), by its attorneys, hereby submits the following Comments in response to the Commission's Further Notice of Proposed Rulemaking, FCC 96-196 (released April 30, 1996), in the above-captioned proceeding.

The County of Los Angeles is the licensee of a 2 GHz microwave communications network that provides the backbone for the County's public safety mobile communications systems. The Los Angeles County Sheriff's Department is the principal user of that microwave network, which links its radio transmitter sites, stations and substations located throughout the County. The County had previously filed comments and reply comments in this and prior related proceedings.

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These comments are in response to the Commission's request for comments as to whether it should reduce the voluntary microwave relocation negotiation period by one year, while increasing the mandatory negotiation period by one year. The Country joins with APCO and other microwave incumbents in opposing that suggested change in the rules.

Public safety microwave incumbents such as the County are now subject to a three-year voluntary negotiation period, followed by a two-year mandatory negotiation period. This is a significant reduction from the original FCC rules that excluded public safety agencies altogether from mandatory relocation.^{1/} Since then, the Commission has made several changes, each time narrowing the protections afforded public safety.^{2/} Incumbents and PCS licensees (including prospective PCS licensees) need assurances that the rules will not change any further, now that the negotiation and relocation process is in full swing. For that reason alone, the Commission should leave the relocation rules as they are and allow the negotiations to proceed.

As to the specific proposal to modify the negotiation periods for the C-F blocks, Chairman Hundt correctly warns

^{1/} First Report and Order and Third Notice of Proposed Rulemaking in ET Docket 92-9, 7 FCC Rcd 6886 (1992).

^{2/} Third Report and Order and Memorandum Opinion and Order in ET Docket 92-9, 8 FCC Rcd 6589 (1993). Memorandum Opinion and Order in ET Docket 92-9, 9 FCC Rcd 1943, 1947-48 (1994), recon. denied Second Memorandum Opinion and Order, 9 FCC Rcd 7797 (1994).

in his separate statement that such a move could cause disruption and harm to public safety and other critical communications services.^{3/} Public safety agencies need the flexibility of a three-year voluntary negotiation period to ensure that they will have a reasonable opportunity to complete the extraordinarily difficult task of negotiating, obtaining approval of, and implementing microwave relocation agreements.

The County operates an extremely complex microwave network consisting of over 40 paths, 18 of which are in the 1850-1990 MHz band. The system supports sophisticated simulcast mobile radio networks, and includes microwave transmission sites located atop mountain peaks, in deep valleys, off-shore, and throughout the densely populated Los Angeles Basin. Reaching and implementing an agreement for replacement of this network will be extraordinarily difficult and will require extensive participation by County personnel at all stages of the process.

The County has chosen to begin negotiations early in the voluntary period, in part due to its expectation that the process will require considerable time and resources to complete. Based on its experience to date, the County believes that a three-year voluntary period is essential for negotiation and relocation to proceed in an orderly fashion and without disrupting other critical governmental

^{3/} Statement of Chairman Reed Hundt, Amendment to the Commission's Rules Regarding a Plan for Sharing the Costs of Microwave Relocation (FCC 96-196).

activities. This will be true whether negotiations are with A, B, C, D, E, or F block licensees.

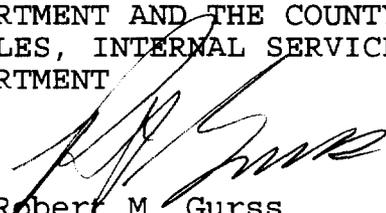
CONCLUSION

Therefore, for the reasons discussed above, the County urges the Commission to maintain the current voluntary and mandatory negotiation periods for all PCS frequency blocks.

Respectfully submitted,

LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT AND THE COUNTY OF LOS
ANGELES, INTERNAL SERVICES
DEPARTMENT

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