National Rural Electric Cooperative Association

4301 Wilson Boulevard
Arlington, VA 22203-1860
Telephone: (703) 907-5500
TT– (703) 907-5942

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OCT 21 1996

Federal Communications Commission
Office of Secretary

October 21, 1996

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: Notice of Proposed Rulemaking - WT Docket No. 96-86.

Dear Mr. Caton:

The National Rural Electric Cooperative Association (NRECA) hereby submits its comments regarding the Federal Communications Commission's Notice of Proposed Rulemaking, WT Docket No. 96-86, adopted April 5, 1996 and released April 10, 1996.

Enclosed are an original plus nine copies of NRECA's comments. Please provide a personal copy to each of the Commissioners.

Sincerely,

Ronald K. Greenhalgh
Chief Engineer

RKG/kh

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Federal Communications Commission
Office of Secretary

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

In the Matter of	)	
	)	
The Development of Operational,	)	WT Docket No. 96-86
Technical, and Spectrum	)	
Requirements for Meeting	)	
Federal, State and Local Public	)	
Safety Agency Communication	)	
Requirements Through the	)	
Year 2010	)	

To: The Commission

COMMENTS OF THE
NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Pursuant to Section 1.415 and 1.419 of the Federal Communication Commission's (FCC) Rules, the National Rural Electric Cooperative Association (NRECA) hereby submits its comments on the Notice of Proposed Rulemaking, FCC 96-155, adopted April 5, 1996 and released April 10, 1996, in the above-captioned proceeding in which the FCC seeks to address deficiencies in public safety wireless communications as well as its expanding spectrum needs.

Background

The National Rural Electric Cooperative Association (NRECA) is the national association of more than 1,000 consumer-owned rural electric generation & transmission and distribution systems which supply central station electricity to more than 25 million people in the rural and remote areas of 2600 counties in 46 states. Rural Electric Cooperatives serve some 75% of the land area and operate half of all of the miles of electric lines in the United States, often providing services to the farthest reaches of our nation. Rural electric systems average 5 consumers per mile of line, and serve large geographical areas where there are fewer than one consumer per mile.

Comments

In the above captioned Notice of Proposed Rulemaking (Notice) the FCC emphasized two primary issues. The first issue is "the critical nature of public safety responsibilities to the Nation's well being and the role of modern wireless communications in ensuring that these duties are fulfilled effectively." The second issue is "that the fragmented nature of present public safety wireless communications has a detrimental impact on present and future capabilities." NRECA concurs with the FCC that "bringing about improved quality and tangible access to expanded services is dependent largely on public safety operating in a wider and more consistent environment. We also concur that the opportunity should be broadened for public safety agencies to obtain access to the benefits that accrue from the increased competition and innovation that has emerged in telecommunications generally while maintaining the independence, reliability, universal service and security that are integral to public safety. Toward those goals, the FCC should develop a regulatory structure that is more efficient, commits more discretion to users, and facilitates access to a much broader range of services.

On behalf of its members UTC, The Telecommunications Association (UTC) has filed extensive detailed comments that address the issues identified by the FCC in the Notice. As one of UTC's sponsoring trade associations, NRECA supports those comments.

However, NRECA takes this opportunity to address some issues raised that are specific to the rural and remote areas served by rural electric cooperatives. Both the NPRM and the Public Safety Wireless Advisory Committee's (PSWAC) Final Report issued September 11, 1996, recognize that differences exist between urban and rural/remote telecommunications capabilities and requirements.

The PSWAC Transition Subcommittee stated:

> "In rural areas, public safety users may have more channels than they need, but no funds to construct a spectrum efficient system. On the other hand, public service companies, such as utilities, may not have sufficient channels or funds available to build out a modern, more efficient system. Combined systems may be built, provided the licenses must be held by the organization in the higher block. Thus public safety frequencies must be licensed to public safety agencies, but could be used in a combined system with public service or commercial systems.
>
> "Conversely, there may be instances where the public safety entity want to lease service from another public service such as a utility. The utility has the channels in the rural area and has constructed the system and would like to lease out capacity. The utility, however, may encounter difficulties doing this because of the prohibition of leasing out excess capacity on a for-profit basis and risk being classified as a Commercial Mobile Radio Services carrier.

"As noted earlier, the Transition Subcommittee has serious reservations about private radio users, including public safety agencies, being permitted to sell excess capacity on their systems. The Transition Subcommittee also believes that public safety spectrum should be protected from other users. Nonetheless, the Transition Subcommittee believes that the rules governing the use of radio spectrum should provide sufficient flexibility for public safety agencies to acquire service from public service radio providers either on a for-profit or cost shared basis. Spectrum efficiency can be promoted when public safety and public service users collaborate and share frequencies in some circumstances."

NRECA believes that it should be recognized that in many rural areas the demarcation lines between "public safety agencies" and "public service providers" are blurred due to the largely volunteer nature of firefighting and "search and rescue" organizations.

This situation dictates that any policies and regulations developed to enhance public safety telecommunications capabilities should be tailored in rural and remote areas to accentuate the commonalities among organizations that serve the public interest. Efforts to delineate, or separate by category, these various organizations in rural areas should be discouraged as not being in the public interest.

In many instances employees of utilities serve as volunteers during public safety emergencies and are often the first to arrive at the scene. For example, on numerous occasions a lineman is dispatched to determine the cause of a service interruption and discovers that a car has hit a utility pole. The lineman requests assistance from the utility dispatcher who then relays the request to professional medical and law enforcement assistance. Valuable seconds could be saved if the telecommunications system allowed the lineman to request assistance directly, rather than relaying through a utility dispatcher.

Existing utility telecommunications systems could be readily expanded, at much less cost than new "public safety" systems, due to their existing infrastructure, (towers, antennas, etc.) and technical expertise. Moreover, these telecommunications systems are continuously operated, not just during emergencies, so their operational readiness is always known. NRECA believes that this approach will serve to enhance the operational reliability and interoperability of telecommunications systems in rural and remote areas.

In summary NRECA believes that the FCC should consider the different characteristics of urban, suburban, rural and remote telecommunications requirements while recognizing that all citizens are entitled to equal levels of health and safety related telecommunications support regardless of where they reside. A regulatory environment should be created that recognizes and enhances both voice and data telecommunications system operational reliability and interoperabilty in each of those differing areas of population densities.

Again , NRECA supports the FCC's objectives as stated in the Notice and commends the staff members of the FCC, the NTIA, and those persons serving on the PSWAC for their joint cooperative efforts in addressing this very important issue.

Respectfully submitted,

NATIONAL RURAL ELECTRIC
COOPERATIVE ASSOCIATION

By: _____
Ronald K. Greenhalgh
Chief Engineer

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Cooperative Association
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