



City of Austin

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Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78767 Telephone 512/499-2000

BUCKET FILE COPY ORIGINAL

February 6, 1997

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

FEB 7 1997
FEDERAL COMMUNICATIONS COMMISSION

Attn.: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

The following comments are respectfully submitted on behalf of the City of Austin Electric Utility Department in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, inviting comment on a plan to consolidate the current Part 90 Radio Services into two pools. For the following reasons, we do not support this two-pool consolidation due to the adverse impact it would have on the use of private land mobile radio channels in providing safe and reliable public utility service.

The City of Austin Electric Utility Department (Austin Electric) is a municipally owned electric system which generates, transmits, and distributes electric power to the city of Austin, Texas and parts of surrounding counties. Like many electric utilities, Austin Electric utilizes various radio frequencies and radio based technologies to conduct its business. At this time the predominant use is two way voice communications between field personnel and between field personnel and electric system control personnel. Austin Electric has a seven channel conventional UHF system which is used for most voice communications in field operations. In addition, several low power UHF splinter frequencies are used in and around generating stations by power plant personnel. VHF frequencies are used by line crews when pulling electrical conductor. Austin Electric also uses a simplex VHF frequency for its direct load control program.

Maintaining reliable voice communications between field personnel, contractors, and energy control personnel can be a matter of life and death as switching operations

Department of Law/Electric Utility Section - 721 Barton Springs Road, Austin TX 78704
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Mr. William F. Caton
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Page Two

energize high voltage electric lines and equipment. Austin Electric field personnel, by virtue of their mobility, are often first on the scene of traffic accidents, fires, and other public safety emergencies. Electric utilities can be as essential to the protection of the public health and safety as traditional emergency services such as police and fire, especially in cases of large scale public calamities such as hurricanes and similar disasters. There is a clear need for close coordination between public safety and public service organizations. Private radio systems ensure that reliability and system availability requirements can be met under the most strenuous conditions. Recently Austin experienced a winter storm that left streets virtually impassable due to ice. Many cellular telephone users were greeted with an "all circuits are busy" message when attempting to place calls to the police and wreckers.

Austin Electric is very concerned that the proposed two pool plan to consolidate the radio service pools to Public Safety and Private Wireless will have a material adverse impact on the reliability and availability of land mobile radio systems used by utilities. A poor performing radio system used by an electric utility could also negatively impact public safety agencies in mutual assistance situations, such as in the case of electrical fires.

Austin Electric agrees with the three service pool concept recommended by UTC and the Public Safety Wireless Advisory Committee. The three pool approach promotes spectrum and administrative efficiency while protecting the vital need for reliable and available radio systems for public safety and public service industries.

In view of the foregoing, we urge the FCC not to adopt the two-pool plan as outlined by the Industrial Telecommunications Association, but instead, to consider favorably the proposals filed by UTC on January 28, 1997. UTC's plan for an intermediate category between emergency response providers and general business entities will better prioritize access to spectrum for entities such as the City of Austin Electric Utility Department which are required to use spectrum to fulfill their public service obligations.

Sincerely,



David C. Petersen
Assistant City Attorney

Mr. William F. Caton
February 6, 1997
Page Three

cc: Mr. Ira Keltz
Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W. Room 8010, Stop Code 2000-F
Washington, D.C. 20554

International Transcription Services
2100 M. Street, N.W., Suite 140
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Mr. Jeffrey Sheldon
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Paul G. Lorenzini
Senior Vice President

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February 6, 1997

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FEDERAL COMMUNICATIONS COMMISSION

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW - Room 222
Washington, DC 20554

Attn: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

The following comments are submitted by PacifiCorp in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, inviting comment on a plan to consolidate the current Part 90 Radio Services into two pools. For the following reasons, we do not support this two-pool consolidation due to the adverse impact it would have on the use of radio in our provision of safe and reliable public utility service.

PacifiCorp is an electric utility engaged in the generation, transmission, and distribution of electrical energy for use by the general public in the states of Washington, Oregon, California, Idaho, Montana, Wyoming, and Utah.

PacifiCorp has in operation an extensive private land mobile radio (PLMR) communication system which is essential to the safe and reliable operation of the company's electrical system. Wide area dispatch communications are critical for the safe and timely maintenance and restoration of electrical service. We are operating approximately 200 fixed-base stations and approximately 4,000 mobile and portable units in the VHF (150-160 MHz) band. In addition, we operate about 100 control links to these base stations. These links are primarily UHF (450-470 MHz) with a few lowband VHF (70-74 MHz). We also use an additional 25 mobile repeaters with about 800 mobile and portable units in the UHF (450-470 MHz) band mainly at our steam electric generating plants. We also use several data links in the 154-173 MHz band.

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PacifiCorp has chosen to maintain its critical mobile operations in the VHF band to take advantage of the propagation characteristics needed to cover our diverse service territory. The majority of our service territory is sparsely populated which makes wide area coverage important in order to most efficiently use the limited frequencies. Wide area coverage is difficult with the wide variety of topography encountered in our area. Several studies have shown that the best frequency band to use to achieve the required coverage is highband VHF (150-174 MHz).

The consolidation of services must take into account the different nature of electric utilities. There are many services of government agencies that do not fit within the category of "protection of life and property" or "public safety." Likewise, there are many functions of electric utilities that fit within the category of "emergency services" or "protection of life and property." Traditional "public safety" entities, i.e. Fire and Police, often require utility coordination to do their "emergency services" duties. We are often called upon for emergency removal or restoration of utility services for protection of life or property. Utilities are much more closely aligned to the category of "emergency services" than to "Private Wireless." It is critical that we not be contending for limited frequencies with the same priority as the general public. The Industrial Telecommunications Association (ITA) plan does not appear to recognize the differing needs of "public service" companies and will therefore be unlikely to meet our requirements.

PacifiCorp is implementing mobile repeater operation and hopes to be able to convert to other advanced technologies in the future. A common system is used for all areas, metropolitan and rural, to allow communications to vehicles moving within the company's service territory without requiring multiple radios in each vehicle. This common system is essential during emergency restoration operations and to provide a safe environment for our high voltage line crews.

We urge the Commission to consider the use of available spectrum with the recognition that different users require different access to that spectrum. The proposed ITA two-pool approach does not adequately address those needs.

PacifiCorp strongly recommends that electric utilities should be included in a separate "public service" pool as part of a three-pool plan as recommended by UTC. Utilities should be treated similarly to public safety because of our common concerns for the protection of life and property. The three-pool plan would allow greater flexibility in meeting the needs of the broad spectrum of land mobile users.

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In view of the foregoing, we urge the FCC not to adopt the two-pool plan as outlined by the Industrial Telecommunications Association, but to consider favorably the proposals filed by UTC on January 28, 1997. UTC's plan for an intermediate category between emergency response providers and general business entities will better prioritize access to spectrum for entities such as PacifiCorp which are required to use spectrum to fulfill their public service mandates.

Very truly yours,



Paul G. Lorenzini
Senior Vice President
PacifiCorp

cc: Mr. Ira Keltz
Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW - Room 8010, Stop Code 2000-F
Washington, DC 20554

International Transcription Services
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76 South Main St.
Akron, Ohio 44308
216-384-5151

February 6, 1997

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

Attn: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

The following comments are submitted by Ohio Edison Company in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, inviting comment on a plan to consolidate the current Part 90 Radio Services into two pools. For the following reasons, we do not support this two-pool consolidation due to the adverse impact it would have on the use of radio in our provision of safe and reliable public utility service.

Ohio Edison is an investor owned electric utility which serves a population of 2.8 million in northeast and central Ohio. Ohio Edison is currently licensed for frequencies in the 37 Mhz and the 451-456 Mhz bands. The 37 Mhz band is used primarily for unit to unit communications for such functions as wire stringing and equipment testing. The 450 Mhz band is used by our Regional transmission and distribution force to insure safety and effective effort during wire stringings, equipment testing and checkout functions, etc. At our power plants, the 450 Mhz band is used for all aspects of running the plant, such as plant operations, maintenance, instrument test, electrical, coal yard, and security. All of these functions are extremely critical to the reliable, economical, and safe minute-to-minute operation of the plants.

Reliable two-way radio communication is absolutely critical to Ohio Edison's ability to provide reliable electric service and to do it in a manner that is safe to its employees and the public. Ohio Edison's use of the spectrum is very often time critical and the message content contains instructions that if there was interference from other users, could result in service interruptions or loss of life. Information, such as procedures for energizing and de-energizing transmission and distribution lines and equipment, service outage information, instructions to open and close valves, activate and de-activate conveyor belts, and directing emergency and security personnel are but a few of the critical, daily uses that Ohio Edison makes of the radio spectrum.

Reliance on two-way radio spectrum will be very important as Ohio Edison moves into the deregulated environment and continues to cut costs and improve service. If Ohio Edison is forced to compete with all users, other than public safety, for

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for the radio spectrum, there will most likely be little, if any spectrum available for these critical needs.

A plan that would create three pools, Public Safety, Private Wireless, and *Public Service*, with Public Service including such entities as utilities, railroads, pipelines, highway maintenance, local government, and forestry conservation would be Ohio Edison's suggested solution. Such a pool would provide frequencies for entities that provide critical services to the public and have historically, due to the nature of their business, have been frugal and resourceful, and, hence, relatively slow growth, in their use of radio spectrum and have successfully shared radio spectrum for decades. Creation of this third pool would provide spectrum for these like users who serve the public with these critical services.

In view of the foregoing, we urge the FCC not to adopt the two-pool plan as outlined by the Industrial Telecommunications Association, but to consider favorably the proposals filed by UTC on January 28, 1997. UTC's plan for an intermediate category between emergency response providers and general business entities will better prioritize access to spectrum for entities such as Ohio Edison which are required to use spectrum to fulfill their public service mandates.

Very truly yours,

Ohio Edison Company



David C. Claes

Director, Telecommunications Engineering & Operations

cc: Mr. Ira Keltz
Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW Room 8010, Stop Code 2000-F
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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Attn: Private Wireless Division
Wireless Telecommunications Bureau

RE: PR Docket No. 92-235

Dear Mr. Caton:

The following comments are submitted by Sierra Pacific Power Company "Sierra" in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, inviting comment on a plan to consolidate the current Part 90 Radio Services into two pools. For the following reasons, we do not support this two-pool consolidation due to the adverse impact it would have on the use of radio in our provision of safe and reliable public utility service.

Sierra is an electric, gas, and water utility that provides retail service to customers in eastern California and northern Nevada. Sierra's principal place of business and largest customer base is Reno, Nevada. The company's service territory, however, covers approximately 50,000 square miles from South Lake Tahoe, California in the west to Elko, Nevada in the east to Tonopah, Nevada in the south.

Sierra's mobile system consists of approximately 1,000 mobile radios operating in the 48 MHz, 150 MHz, and 450 MHz bands. These radios are used exclusively for the dispatching of operating personnel to ensure swift and safe construction, maintenance, and operation of potentially hazardous electric, gas and to a lesser extent water facilities.

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Mr. William F. Caton
February 6, 1997
Page Two

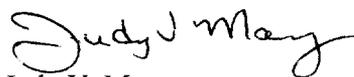
Public safety related activities are an integral part of providing reliable electric service. Car-pole accidents, downed power lines, structure fires, Neighborhood Watch programs, gas leaks, all require communications with law enforcement, fire protection, and environmental protection agencies, to maintain adequate public safeguards.

Sierra does not believe that utilities should be compelled to share frequencies on an equal footing with all other Part 90 users as recommended by the ITA proposal. The two-pool proposal does not provide segregation of channels used by public service organizations. We therefore do not anticipate that frequencies will be allocated in a manner that will ensure the greater public good.

Sierra supports the three-pool plan forwarded by UTC to the Commission on January 28, 1997. The UTC proposal recognizes the critical and continuous nature of utility service by placing utility frequencies into the public service pool. UTC's plan would preserve a much-needed level of interoperability between utilities and other entities involved with public safety and emergency response.

In view of the foregoing, we urge the FCC not to adopt the two-pool plan as outlined by the Industrial Telecommunications Association, but to consider favorably the proposals filed by UTC on January 28, 1997. UTC's plan for an intermediate category between emergency response providers and general business entities will better prioritize access to spectrum for entities such as Sierra's which are required to use spectrum to fulfill their public service mandates.

Sincerely,



Judy V. May

Director, Information resources and
Telecommunications

JM:cs
Telecom W\CatonLtr

cc: Mr. Ira Keltz, Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8010, Stop Code 2000-F
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Kentucky
Utilities
Company

FEB 7 1997

Kentucky Utilities Company One Quality Street Lexington, KY 40507-1462 Tel 606 255-2100

February 6, 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street NW, Room 222
Washington, DC 20554

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Attn: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

Kentucky Utilities is an electric utility company which operates seven generating stations with a combined capacity of over 3.5 gigawatts serving over 450,000 customers across Kentucky and western Virginia. We employ over 2,000 persons, and many of them communicate by 2-way radio. We operate a 3-channel low-band radio system which is being replaced with a \$ 5 million UHF repeater system. There are only a few other utilities with electricity rates lower than ours. One reason our rates are low is because we get a lot of work out of our employees. We use radio to coordinate the activities of hundreds of employees.

It is important to have adequate radio spectrum available for utilities. The service provided by utilities is essential to modern life. Please recall the last time your home was without electricity, and you walked into the bathroom and flipped the light switch out of habit. As a telecommunications official, you had the reassurance of knowing that the crews repairing the power lines had exclusive-use radio spectrum set aside to speed their work, so the lights would soon be back on.

We support the UTC's 3-pool plan which sets aside adequate spectrum for high-priority public service applications such as restoring electric service. We urge the FCC not to adopt the 2-pool plan proposed by the ITA. Thank you.

Very truly yours,

Jerry W. Goerz
Senior Engineer I
Corporate Telecommunications

c: Mr. Ira Keltz
Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW, Room 8010, Stop Code 2000-F
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Carolina Power & Light Company
PO Box 1551
411 Fayetteville Street Mall
Raleigh NC 27602

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February 5, 1997

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

Attn: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

The following comments are submitted by Carolina Power & Light in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, inviting comment on a plan to consolidate the current Part 90 Radio Services into two pools. For the following reasons we do not support the two-pool consolidation due to the adverse impact it would have on the use of radio in our provision of safe and reliable public utility service.

Carolina Power & Light is a public utility which provides electric power to over 1 million citizens. Our service territory covers 30,000 sq. miles throughout North and South Carolina. Much of our territory is rural, and we depend heavily on wireless communications for the safe operation and maintenance of our generation, transmission and distribution grids. The backbone of our wireless system is 450 MHz radio. This system is utilized in all facets of our operations, from controlling circuit breakers in our major transmission substations to effecting service restoration at the home. Of critical importance is our uninterrupted access to these radio channels during severe weather and storms. The last twelve months have seen two major hurricanes (Bertha and Fran) and severe ice storms. These natural disasters placed extreme pressure on our 450 MHz system. With the addition of hundreds of extra crews from outside our service area, our system was utilized over its planned capacity. Additional interference from other non-emergency users, as proposed by the two-pool consolidation, would have crippled this system, potentially causing life threatening consequences.

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In view of the foregoing, we urge the FCC not to adopt the two-pool plan as outlined by the Industrial Telecommunications Association, but instead to consider favorably the three-pool proposal filed by the UTC on January 28, 1997. UTC's plan for an intermediate category between emergency response providers and general business entities will better prioritize access to spectrum for public utilities such as Carolina Power & Light. This is particularly important during regional emergencies which threaten the safety of life or property, and support emergency response activities to protect the nation's infrastructure. Carolina Power & Light is required to use spectrum to fulfill their public service mandates and obligations. The FCC must ensure it is available for use.

Sincerely ,



Robert S. Metz
Manager, Telecommunications

RSM/kfk

c: Mr. Ira Keltz
Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W. Room 8010, Stop Code 2000-F
Washington, D. C. 20554

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Since 1907

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC**

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FEB 17 1997

FCC MAIL ROOM

**In the Matter of
INDUSTRIAL TELECOMMUNICATIONS)
ASSOCIATION, INC. - FILING)
CONCERNING A FRAMEWORK FOR)
CONSOLIDATION OF THE PRIVATE)
LAND MOBILE RADIO SERVICES)**

PR DOCKET NO. 92-235

PR DOCKET NO. 92-257

**COMMENTS OF
FRUIT GROWERS SUPPLY COMPANY**

These comments are submitted in response to the Commission's Proposed Rule Making in the above captioned proceedings.

I. INTRODUCTION

FRUIT GROWERS SUPPLY COMPANY, an agricultural affiliate of **SUNKIST GROWERS, INC.**, herein referred to as **FGS**, is presently the fourth largest private timberland owner in the State of California, and a licensee in the Forest Products Radio Service. The Northern Operations of **FGS** actively manages 372,000 acres of timberland in the northern half of California and harvests 55 to 75 million board feet annually. We have been in operation for over eighty years and have been a licensee since licensing began.

II. COMMENTS

We currently own and operate three base stations, three repeater sites and over forty mobile land units operating in the 30-50 MHz band. In 1996 we invested over \$80,000 in repair and upgrades for two of our repeater sites, including a new freestanding 120' steel tower. In 1997, we have budgeted nearly \$100,000 for the construction of an additional repeater site on our Lassen Forest properties.

FGS has made this substantial commitment because we believe that improved radio communications is vital for the protection of life and property, the safety and protection of our employees and equipment, for forest fire detection and suppression, and for efficiency of our forestry, logging and woods operations. The functionality and importance of a reliable radio system in this dangerous and high risk environment cannot be overemphasized.

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The ITA "Blueprint" recognizes the uniqueness of Railroads, Airline Terminals, Oil Spill cleanup, and Central Station Protection systems, but ignores the needs of other industry groups which have been historically recognized by the FCC as having unique communications requirements. The "Blueprint" is not representative of the desires of all Licensees of the Private Wireless Division of the FCC and presents an incomplete picture of the nature of our Forest Industry requirements.

Consolidation of radio service pools has been addressed in the Spectrum Refarming Docket 92-235. The 30-50MHz band was specifically excluded. The consolidation "Blueprint" goes well beyond the original scope of Docket 92-235 by including the 30-50MHz band, for the sake of "uniformity in regulations." The 30-50MHz band is an entirely separate issue based on the unique propagation characteristics and its suitability for the Forest Products Industry.

Interested parties, including ITA, had adequate opportunity to present comments and reply comments throughout the proceeding. ITA's presentation, at this time, serves only to re-open an old issue, in a manner apparently designed to prejudice the Commission, and again present a proposal that is contrary to a majority of other comments that have been received by the Commission.

Current radio service classifications have served our industry well for nearly 50 years in the Forest Products Radio Service and FGS relies on the expertise of FIT (Forest Industries Telecommunications) to maintain the integrity of our system through effective and professional frequency coordination. The "Blueprint" would eliminate this vital role and place us at the mercy of all other coordinators.

FRUIT GROWERS SUPPLY COMPANY opposes the inclusion of the 30-50MHz band as something that was specifically excluded in the Spectrum Refarming Docket 92-235 and believes this band should remain allocated to only those currently authorized radio services.

Respectfully submitted by:

FRUIT GROWERS SUPPLY COMPANY



Charles L. Hickman IV
Administrative Manager
Northern Operations
February 4, 1997

BEFORE THE
FEDERAL COMMUNICATION COMMISSION
WASHINGTON, DC

FILED
FEB 17 1997
FEDERAL COMMUNICATIONS COMMISSION

In The Matter of)
INDUSTRIAL TELECOMMUNICATIONS)
ASSOCIATION, INC. - FILING)
CONCERNING A FRAMEWORK FOR)
CONSOLIDATION OF THE PRIVATE)
LAND MOBILE RADIO SERVICES)

PR DOCKET NO. 92-235

PR DOCKET NO. 92-257

COMMENTS OF
MENASHA CORPORATION

These comments are submitted in response to the Commission's Proposed Rule Making in the above captioned proceedings.

1. INTRODUCTION

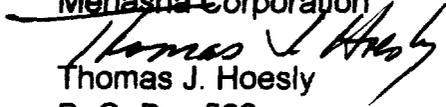
Menasha Corporation, Land and Timber Division is a industrial tree farm located in the Pacific Coast Range of Southwest Oregon. We have been a licensee of the Forest Products Radio Service since the early 1950's. The nature of our business made it mandatory to have a radio system that is reliable and clean. Communications regarding personal injury, forest fire detection and suppression, and wildlife violations are common occurrences in our day to day activity.

II COMMENTS

Having reviewed Industrial Telecommunications Association's proposed "Blueprint", I submit the following comments for the record. Menasha operates its radio base station in North Bend, Oregon with 35 mobiles unit used to cover our tree farm. Over the years , we have invested considerable funds in maintenance and upgrading equipment. This investment will be jeopardized by a two pooled system. The proposal does not give due address the priority needs of established users.

We oppose the inclusion of the 30-50 Mhz band as something that was specifically excluded in the Spectrum Refarming Docket and believe this band should remain allocated to only those currently authorized radio services. The use of our two-way radio is vital to the protection of life and property, enhances the safety of our personnel, and assists us with natural disasters, such as winter landslides.

Respectfully submitted by:
Menasha Corporation


Thomas J. Hoesly
P. O. Box 588
North Bend, Oregon 97459
Ph. 541-756-1193

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