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Federal Communications Commission  
Office of Secretary

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

In the Matter of )  
)  
Replacement of Part 90 by Part 88 to Revise ) PR Docket 92-235  
the Private Land Mobile Radio Services )  
and Modify the Policies Governing Them )

To: Wireless Telecommunications Bureau

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COMMENTS OF APCO  
IN RESPONSE TO  
MOTOROLA PETITION FOR CLARIFICATION

The Association of Public-Safety Communications Officials-International ("APCO") hereby submits the following comments in response to the Petition for Clarification filed by Motorola on February 14, 1997.

APCO is the nation's oldest and largest public safety communications organization, with over 12,000 members involved in the management and operation of police, fire, emergency medical, local government, forestry conservation, highway maintenance, disaster relief and other public safety communications systems. APCO is an FCC certified frequency coordinator for the Part 90 Police, Local Government, and 800 MHz Public Safety Pool channels.

The "refarming" rules adopted in this proceeding contemplate that an existing channel will be "split" to a 12.5 kHz channel while maintaining its current channel center (i.e., 6.25 kHz on each side of the original center), thus creating a 6.25 kHz "buffer" on both edges of the original 25 kHz wide channel. Using geographic separation, that buffer

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allows a frequency coordinator to assign a new "interstitial" 12.5 kHz channel centered on the "border" between the two original 25 kHz channels. Motorola seeks clarification that current licensees have the option of splitting an existing 25 kHz channel into two "side-by-side" 12.5 kHz channels, which requires a shift off of the current channel center. This would allow the current licensee to double its channels, but would not create new channels for other users. For the reasons discussed below, APCO believes that such channel splits should be the exception (requiring a waiver and frequency coordinator approval) and not the rule.

Allowing existing users to double their number of channels (at least in theory) may not always be the most efficient use of spectrum. An existing licensee, by utilizing all 25 kHz of its current channel, makes it far more difficult (if not impossible) to create a new interstitial channel that could be reassigned to others users and potential users who have been waiting for years to obtain new channels through refarming.

Splitting channels as proposed by Motorola would also greatly complicate frequency coordination as licensees in the same area would be operating on different channel centers. Similarly, any future move to 6.25 kHz would also be complicated by the 12.5 kHz equipment operating on the 6.25 kHz channel centers. This problem will persist far into the future, as long as some users in an area continue to use 25 kHz equipment and channels.

APCO agrees, however, that there are instances where splitting a 25 kHz channel into two 12.5 kHz channels would be highly beneficial, such as radio systems with a large number of exclusive adjacent channels. On the other hand, allowing any user to split a channel into two 12.5 kHz channels could do more harm than good. Therefore, APCO

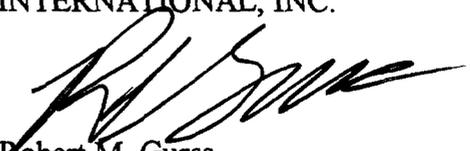
suggests that the Commission allow the use of two 12.5 kHz channels within a current 25 kHz channel only under the following circumstances:

1. The licensee has exclusive use of its channels pursuant to relevant Commission rules;
2. The licensee meets minimum loading requirements for its current 25 kHz channel and will also meet the loading requirement for the new 12.5 kHz channels;
3. The licensee either has exclusive use of the adjacent 25 kHz channels or has obtained written consent from the adjacent channel licensee(s); and
4. The channel split is approved by the relevant frequency coordinator(s).

APCO believes that these requirements are necessary to avoid harmful interference and promote efficient spectrum utilization.

Respectfully submitted,

ASSOCIATION OF PUBLIC-SAFETY  
COMMUNICATIONS OFFICIALS-  
INTERNATIONAL, INC.

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