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

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Reallocation of Television)
Channels 60-69, the 704-) ET Docket No. 97-157
806 MHz Band)

To: The Commission

REPLY COMMENTS OF THE COUNTY OF LOS ANGELES

The County of Los Angeles ("County"), by its attorneys, hereby submits the following reply to several comments filed in response to the Commission's Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding, FCC 97-245, released July 10, 1997, (62 FR 41012, July 31, 1997).

In its initial comments, the County supported the Commission's proposal to reallocate 24 MHz of current broadcast spectrum in the 746-806 MHz band (UHF channels 60-69), as this allocation will make a substantial amount of new spectrum available to public safety agencies nationwide. However, the County reiterated concerns it made clear in its submissions in response to the Sixth Further Notice of Proposed Rulemaking, MM Docket No. 87-268, FCC 96-317, released August 14, 1997,¹ that unless the Commission modifies its digital television ("DTV") allotment plan to accommodate the special spectrum needs faced by public

¹ See Comments of the County of Los Angeles, filed November 22, 1996; Reply Comments of the County of Los Angeles, filed January 24, 1997; Petition for Reconsideration, filed June 13, 1997 ("County Petition for Reconsideration"); Response of the County of Los Angeles to Petitions for Reconsideration., filed July 18, 1997.

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safety agencies in the Los Angeles area, no new spectrum will be available to those agencies until at least the end of the DTV transition, now slated for 2006.²

The County supports the comments of numerous parties in this proceeding who urge that the Commission move forward with the reallocation of the 746-806 MHz band for public safety use. Specifically, the County fully supports the comments of the National Public Safety Telecommunications Council ("NPSTC"), and the Association for Public- Safety Communications Officials-International, Inc. ("APCO").³ In their comments, NPSTC and APCO support the Commission's reallocation proposal, and urge not only that existing broadcast use of channels be removed from the 746-806 MHz band as soon as possible, but also that no new broadcast services be allowed into the 746-806 MHz band.⁴ The County agrees with this latter recommendation as broadcast stations on channels 60-69 in Los Angeles could create substantial interference problems for public safety agencies utilizing the new spectrum band once it becomes available.

The County also supports portions of the comments of the Association of America's Public Television Stations and the Public Broadcasting Service ("APTS/PBS").⁵ First, the County strongly urges the Commission to adopt APTS/PBS's suggestion that the Commission allow stations with DTV allotments in channels 60-69, and current analog stations below 60-69, to construct their DTV stations on their current analog allotment at some point during the

² Comments of the County of Los Angeles, filed September 15, 1997, at 1-2.

³ Comments of NPSTC, filed September 15, 1997; Comments of APCO, filed September 15, 1997.

⁴ Comments of NPSTC at 7.

⁵ Comments of Association of America's Public Television Stations and Public Broadcasting Service, filed September 15, 1997.

transition.⁶ Such stations would then be able to relinquish their DTV allotments right away. In the Los Angeles area, this could expedite release of up to 30 MHz of spectrum, including channel 61 (San Bernardino), and channels 60, 65, 66, and 68 (Los Angeles). Further, the County fully supports APTS/PBS's additional recommendation that the Commission permit stations with current analog allotments in channels 60-69, and DTV allotments inside the core (channels 2-51), to move their analog operations from the 60-69 channel to the core DTV station until they convert the station to DTV during the transition.⁷ These stations could then also relinquish their 60-69 analog channels. This could help to free up even more spectrum in the Los Angeles area for public safety use, including 12 MHz from channels 63 (Oxnard) and 64 (Barstow), both of which are part of the proposed public safety allocation.⁸

Because of the substantial possibility that the APTS/PBS proposal, if implemented, could facilitate the availability of new spectrum in the 746-806 MHz band for public safety agencies in Los Angeles, the Commission should not only permit the stations to move their analog and DTV allotments inside the core, but should mandate it or, at a minimum, create incentives for the stations to do so. For example, the Commission could extend the DTV build-out deadlines for existing analog channel licensees on channels 60-69 that move their analog operations to their allotted DTV channel inside the core. The Commission could do the

⁶ Id. at 6.

⁷ Id. at 6-7.

⁸ As for channel 62 (Riverside), which has been allotted channel 69 for DTV, the FCC should allot a core channel to the station. If the Commission is not able to find an appropriate core station, the channel 62 licensee should be required to construct its DTV station on channel 62, thereby clearing channel 69 for public safety use.

same for analog licensees who agree to build their DTV station on their existing core channel, as opposed to their channel 60-69 DTV allotment.⁹

The County strongly opposes the comments of KSLs, Inc., licensee of channel 18, Los Angeles, in which it suggests that the Commission move current land mobile operations in the Los Angeles area from UHF channels 16 and 20, to channels 68 and 69, and move allotted DTV channels 68 and 69 to the lower UHF channels.¹⁰ This is an absurd proposal which would force the relocation of public safety systems on channels 16 and 20, disrupting vital public safety communications services without providing any additional spectrum relief to public safety. KSLs's proposal in no way addresses the problem at issue in this proceeding, which is to make available 24 MHz of new spectrum for public safety in the 746-806 MHz band. Making new spectrum available does not mean simply reshuffling existing public safety operations from other parts of the spectrum band to 746-806 MHz, in exchange for providing a better DTV channel for a television station licensee.

⁹ The County also supports the comments of Tribune Broadcasting, which suggest that the Commission eliminate any channel 60-69 DTV allotments before the reallocation in order to avoid causing harmful and disruptive interference to public safety operations utilizing reallocated spectrum in the band. See Comments of Tribune Broadcasting, filed September 15, 1997, at 1.

¹⁰ Comments of KSLs, Inc., filed September 15, 1997, at 2-3.

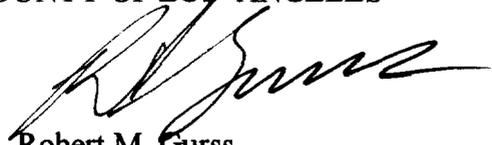
CONCLUSION

The County of Los Angeles urges the Commission to consider carefully the issues raised in its initial comments and in these reply comments.

Respectfully submitted,

THE COUNTY OF LOS ANGELES

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