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

In the Matter of	)	
	)	
Amendment of Section 90.35(c)(61)(iv)	)	RM-
of the Commission's Rules Regarding	)	
Airport Terminal Use Frequencies in the	)	
450 MHz Band	)	

To: Daniel Phythyon, Chief
Wireless Telecommunications Bureau

PETITION FOR RULE MAKING

The Personal Communications Industry Association ("PCIA"),[1] Aeronautical Radio, Inc. ("ARINC"),[2] and the Industrial Telecommunications Association, Inc. ("ITA"),[3] pursuant to

[1]PCIA is an international trade association representing the interests of both commercial mobile radio service ("CMRS") and private mobile radio service ("PMRS") users and businesses involved in all facets of the personal communications industry. PCIA's Federation of Councils include: the Paging and Narrowband PCS Alliance, the Broadband PCS Alliance, the Mobile Wireless Communications Alliance, the Site Owners and Managers Association, the Association of Communications Technicians, and the Private System Users Alliance. In addition, PCIA is an FCC-appointed frequency coordinator for the Business Radio Service, the 800 and 900 MHz Business Pools, 800 MHz General Category frequencies, and for the 929 MHz paging frequencies.

[2]ARINC is the communications company of the air transport industry, formed in 1929 at the suggestion of the Federal Radio Commission to ensure efficient use of the radio spectrum in support of air transportation. ARINC today holds more than 5,000 licenses serving domestic and international aviation in the United States. Most of ARINC's licenses are issued under the Aviation Radio Service (Part 87), but ARINC is also the licensee of a number of ATU stations under Section 90.35(c)(61) of the Commission's Rules. ARINC also hosts the Aeronautical Frequency Committee ("AFC"), a committee of airline, business, and other aviation interests, which establishes consensus as to aeronautical, and other on-airport (e.g. land mobile) spectrum requirements and policies. This Petition was initiated and fully supported by the AFC.

Section 1.401 of the Commission's Rules, 47 C.F.R. §1.401, hereby respectfully request amendment of Section 90.35(c)(61)(iv) of the Commission's Rules to update the list of airports wherein licenses may be obtained for airport terminal use ("ATU").[4] In support thereof, the following is shown:

I. BACKGROUND

In 1960, the FCC proposed to allocate ten (10) pairs of frequencies to accommodate land mobile operation at airports by airlines and support personnel in furtherance of their operational duties.[5] In 1968, the Commission allocated ten (10) radio channel pairs in the 450-470 MHz band for airport terminal use ("ATU") at airports serving cities of 200,000 or more population.[6] The frequencies were also made available for non-airport related Business Radio Service use on a low power (2 watt) basis within an industrial complex or manufacturing yard area five miles or more from the listed airports and on a high power basis in areas 75 or more miles from the airports.[7]

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[3]ITA is a national trade association representing the wireless communication interests of private land mobile licensees and radio dealer organizations. ITA's affiliated market councils include the USMSS, Inc.; the Taxicab & Livery Communications Council; the Telephone Maintenance Frequency Advisory Committee; and the Council of Independent Communication Suppliers. ITA is an FCC-certified frequency advisory committee for the 25-50, 150-174, 421-430, 450-470 MHz Industrial/Business Pools. ITA is also an FCC-certified frequency advisory committee for the 470-512 MHz pool; the 800 MHz General Category Pool; and the 800/900 MHz Industrial/Land Transportation Pools.

[4]PCIA, ARINC and ITA are fully representative of the airline industry. Virtually all major airlines are member/owners of ARINC, and numerous airlines (or airport support services) are members of PCIA and/or ITA.

[5]Further Notice of Proposed Rule Making, Docket No. 13847, 10 FCC 2d 885 (1967) at para. 26.

[6]Second Report and Order, Docket No. 13847, 11 FCC 2d 648 (1968) at para. 20.

[7]Id.

In 1986, as the result of a Petition for Rule Making filed by PCIA (then the National Association of Business and Educational Radio, Inc. -- "NABER") and supported by ARINC, the Commission amended its rules for the ATU frequencies. Specifically, the Commission: (1) specified the coordinates for the relevant airports to be used for determining appropriate distances; (2) added numerous airports to the list of protected sites; (3) increased the distance in which low power non-airport operations could operate to ten miles; (4) decreased the distance for high power operations to 50 miles from airports; (5) changed the high power limitation from 110 watts output power to 300 watts ERP; and (6) clarified its pre-existing determination that all non-airport use of the ten channels is on a secondary basis to airport operations.[8]

II. PETITION FOR RULE MAKING

In 1986, the Commission expanded its list of protected airports based upon its finding that "... twenty years have passes since the Commission initially reserved these frequencies for air terminal use. Just as business radio operations have grown dramatically during that time, it is apparent that air terminal communications have expanded in several areas not initially protected."[9] In the twelve years since that action, airline travel has increased tremendously. The Air Transport Association ("ATA") projects that US domestic passenger enplanements will continue to grow at a 4% annual rate for the foreseeable future. Cargo air carriers continue to see a dramatic growth rate of at least 20% per year due primarily to the growth in international traffic.

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[8]Report and Order, PR Docket No. 85-273, 60 RR 2d 379 (1986).

[9]Id. at para. 11.

As a result of increased air travel, and shifting population patterns, numerous airports not previously contemplated by the Commission as requiring ATU frequency protection have become significant ports of call for the traveling public. For example, Robert Mueller Municipal Airport in Austin, Texas is not a protected ATU frequency site. Airports in Savannah, Georgia, West Palm Beach, Florida and Green Bay, Wisconsin are similarly unprotected. At these, and other, airport locations, airport eligibles may continue to license the ATU frequencies, however these operations are not protected from nearby Business operations.

As of yet, there has not been sufficient non-airport use in the vicinity of the non-protected airports to cause concern or safety problems. However, the Commission's recent action in PR Docket No. 92-235 (known as the "Refarming" proceeding) means that increased use will be made of 450 MHz channels with a wider variety of technology systems which could result in interference and safety issues.

In addition, airport eligibles would also like to take advantage of the new technological advances which the Refarming proceeding encourages. Currently, numerous airlines, either individually or in cooperatives established by ARINC, operate advanced technology trunked radio systems in the 800 MHz and 900 MHz band at most larger airports. However, the Commission's action in PR Docket No. 93-144 to convert the General Category Pool to SMR Service and auction the channels, as well as the wholesale licensing of 800 MHz Business and Industrial Pool channels by SMR "wide-area" licensees, has precluded airport eligibles from expanding operations in this band. Therefore, the ten 450 MHz ATU channel pairs (as well as

the channels spaced in between the ATU frequencies which carry the same ATU limitation) are a ripe source of spectrum which the industry so desperately needs.[10]

On this basis, PCIA, ARINC and ITA request that the Commission expand the list of airports where ATU frequency use is protected to include those airports listed in Exhibit A attached hereto. Unfortunately, the action requested in this proceeding will not expand airport spectrum in those locations where it is needed most (i.e. Los Angeles, Chicago, New York, etc.). However, expansion of the list will help avoid interference, and encourage advanced technology systems, at smaller airports where travel growth is continuing.

The amendment requested herein will not significantly impact non-airport users. PCIA's research indicates that at many of the airports included on Exhibit A, there are no non-airport users within 50 miles. At other airports, there are a limited number of non-airport eligibles within 50 miles of the airport, most likely because of the secondary status of the non-airport authorizations. In any event, the Petitioners believe that existing non-airport users in the vicinity of the newly-specified airports can be grandfathered, similar to the Commission's previous action in PR Docket No. 85-273. Further, the Petitioners believe that careful frequency coordination can prevent interference to any existing non-airport users within 50 miles of the new airports despite their secondary status.

Finally, the Petitioners believe that the Commission should also take this opportunity to correct two errors in the airport listing. First, the list currently includes the Greater Cincinnati

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[10]This discussion is not meant to suggest that the airline industry no longer requires the use of 800 MHz or 900 MHz frequencies, or that the ATU frequencies can serve as a substitute or alternative for such spectrum. Rather, the discussion is meant to illustrate the industry's efforts to implement higher technology radio systems to meet increasing communications needs, and the industry's frustration over the availability of additional 800 MHz or 900 MHz spectrum to complete the task.

International Airport ("CVG"), located in Covington, Kentucky. However, the actual coordinates listed are for the Cincinnati-Blue Ash Airport ("ISZ"). While the Cincinnati-Blue Ash coordinates should remain in the rules, the coordinates should be properly marked as the Blue Ash airport, and the proper Greater Cincinnati Airport coordinates - 39 02'52"N, 084 40'00"W - should also be added to the list. In addition, the airport in Denver has changed location. However, the list was never updated to reflect this change and should be amended to show 39 51'18"N, 104 40'23"W.

III. CONCLUSION

WHEREFORE, the premises considered, it is respectfully requested that the Commission AMEND Section 90.35(c)(61)(iv) to include the airports listed in Exhibit A attached hereto.

Respectfully submitted,

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By: _____
Jay Kitchen, President

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By: _____
Kris Hutchison, Director
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INDUSTRIAL TELECOMMUNICATIONS
ASSOCIATION, INC.
1150 North Glebe Road, Suite 500
Arlington, Virginia 22201

By: _____
Mark Crosby, President

Date: June 5, 1998

City	State	Airport	Code	Latitude	Longitude
Little Rock	AR	Little Rock	LIT	34-44-48N	092-14-59W
Bakersfield	CA	Bakersfield/Meadows Field	BFL	35-25-49N	119-03-07W
Crescent City	CA	Crescent City/Jack McNamara	CEC	41-46-49N	124-14-07W
Eureka	CA	Eureka Municipal	ACV	40-59-42N	124-06-27W
Modesto	CA	Modesto City-County	MOD	37-37-33N	120-57-12W
Monterey	CA	Monterey Peninsula	MRY	36-35-17N	121-50-53W
Palm Springs	CA	Palm Springs Municipal	PSP	33-49-35N	116-30-14W
Santa Barbara	CA	Santa Barbara Municipal	SBA	34-25-34N	119-50-22W
Alamosa	CO	Luis Vallet Regional/Bergman Field	ALS	37-26-14N	105-51-56W
Aspen	CO	Aspen-Pitkin County/Sardy Field	ASE	39-13-29N	106-52-07W
Durango	CO	Durango-La Plata County	DRO	37-09-05N	107-45-11W
Eagle	CO	Eagle County	EGE	39-38-42N	106-54-43W
Gunnison	CO	Gunnison County	GUC	38-32-04N	106-56-10W
Hayden	CO	Yampa Valley	HDN	40-28-54N	107-13-07W
Montrose	CO	Montrose County	MTJ	38-30-01N	107-53-40W
Pueblo	CO	Pueblo Memorial	PUB	38-17-21N	104-29-48W
Telluride	CO	Telluride Regional	TEX	37-57-14N	107-54-37W
Ft. Meyers	FL	Page Field	FMY	26-35-11N	081-52-49W
Ft. Meyers	FL	Southwest Florida Regional	RSW	26-32-10N	081-45-18W
Gainesville	FL	Gainesville Regional	GNV	29-41-25N	082-16-23W
Sarasota	FL	Sarasota-Bradenton	SRQ	27-23-42N	082-33-15W
Tallahassee	FL	Tallahassee Regional	TLH	30-23-45N	084-21-02W
West Palm Beach	FL	Palm Beach International	PBI	26-41-00N	080-05-44W
Columbus	GA	Columbus Metropolitan	CSG	32-30-58N	084-56-20W
Savannah	GA	Savannah International	SAV	32-07-39N	081-12-09W
Agana	GU	Agana Naval Air Station	GUM	13-28-54N	144-47-36E
Cedar Rapids	IA	Cedar Rapide Municipal	CID	41-53-04N	091-42-31W
Sioux City	IA	Sioux City/Gateway	SUX	42-24-14N	096-23-00W
Waterloo	IA	Waterloo Municipal	ALO	42-33-25N	092-24-00W
Boise	ID	Boise Air Terminal	BOI	43-33-54N	116-13-27W
Peoria	IL	Greater Peoria Rgional	PIA	40-39-53N	089-41-31W
Ft. Wayne	IN	Fort Wayne International	FWA	40-58-41N	085-11-28W
Baton Rouge	LA	Baton Rouge Metropolitan	BTR	30-31-57N	091-08-59W
Portland	ME	Portland International Jetport	PWM	43-38-46N	070-18-33W
Kalamazoo	MI	Kalamazoo/Battle Creek International	AZO	42-14-06N	085-33-06W
Lansing	MI	Capital City	LAN	42-46-43N	084-35-14W
Saginaw	MI	Tri City International	MBS	43-31-54N	084-04-54W
Duluth	MN	Duluth International	DLH	46-50-28N	092-11-25W
Rochester	MN	Rochester Municipal	RST	43-54-32 N	092-29-52 W
Springfield	MO	Springfield Regional	SGF	37-14-39N	093-23-12W
Billings	MT	Billings Logan International	BIL	45-48-29N	108-32-25W
Bozeman	MT	Gallatin Field Airport	BZN	45-46-46N	111-09-12W
Great Falls	MT	Great Falls International	GTF	47-28-57N	111-22-12W
Kalispell	MT	Glacier Park International	FCA	48-18-43N	114-15-15W
Missoula	MT	Missoula International	MSO	46-54-59N	114-05-22W
Greensboro	NC	Piedmont Tirade International	GSO	36-05-47N	079-56-21W
Raleigh	NC	Raleigh Durham International	RDU	35-52-19N	078-47-07W
Bismarck	ND	Bismarck Municipal	BIS	46-46-37N	100-45-04W
Fargo	ND	Fargo-Hector International	FAR	46-54-55N	096-48-53W
Grand Forks	ND	Grand Forks International	GFK	47-57-01N	097-10-45W

City	State	Airport	Code	Latitude	Longitude
Minot	ND	Minot International	MOT	48-15-34N	101-16-51W
Lincoln	NE	Lincoln Municipal	LNK	40-51-03N	096-45-32W
Manchester	NH	Manchester	MHT	42-56-00N	071-26-18W
Sante Fe	NM	Santa Fe County Municipal	SAF	35-37-07N	106-05-20W
Newburg	NY	Stewart International	SWF	41-30-14N	074-06-19W
White Plains	NY	White Plains	HPN	41-04-01N	073-42-29W
Columbus	OH	Rickenbacker AFB	LCK	39-49-00N	082-56-00W
Eugene	OR	Eugene-Mahlon Sweet Field	EUG	44-07-19N	123-13-03W
San Juan	PR	San Juan-Luis Munoz	SJU	18-26-22N	066-00-07W
Charleston	SC	Charleston AFB International	CHS	32-53-55N	080-02-27W
Columbia	SC	Columbia Metropolitan	CAE	33-56-26N	081-07-12W
Greenville	SC	Greenville-Spartanburg	GSP	34-53-47N	082-13-07W
Aberdeen	SD	Aberdeen Regional	ABR	45-26-59N	098-25-17W
Rapid City	SD	Rapid City Regional	RAP	44-02-40N	103-03-22W
Sioux Falls	SD	Joe Ross Field	FSD	43-34-53N	096-44-29W
Knoxville	TN	McGhee Tyson	TYS	35-48-45N	083-59-34W
Amarillo	TX	Amarillo International	AMA	35-13-10N	101-42-42W
Austin	TX	Robert Mueller Municipal	AUS	30-17-53N	097-42-05W
Austin	TX	Austin Bergstrom International	BSM	30-11-48N	097-40-42W
Corpus Christi	TX	Corpus Chrisit International	CRP	27-46-13N	097-30-04W
Ft. Worth	TX	Fort Worth Alliance	AFW	32-59-02N	097-19-01W
Harlingen	TX	Rio Grande Valley International	HRL	26-13-43N	097-39-16W
Lubbock	TX	Lubbock International	LBB	33-39-49N	101-49-20W
Lynchburg	VA	Lynchburg Municipal-Preston Glen Field	LYH	37-19-36N	079-12-02
Roanoke	VA	Roanoke Regional	ROA	37-19-29N	079-58-34W
Burlington	VT	William H. Morse	BTV	44-28-17N	073-09-12W
Appleton	WI	Outagamie	ATW	44-15-28N	088-31-14W
Green Bay	WI	Green Bay/Austin Straubel	GRB	44-29-06N	088-07-42W
Lacrosse	WI	Lacrosse Municipal	LSE	43-52-45N	091-15-22W
Madison	WI	Dane County Regional	MSN	43-08-22N	089-20-13W
Jackson Hole	WY	Jackson Hole	JAC	43-36-24N	110-44-15W
Saipan Isl.		Saipan International	SPN	15-07-13N	145-43-49E