



Cartwright Communication Technology, Inc.

FCC 1035 ROOM

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JUN - 6 1998

June 29, 1998

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Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: RM-9267, Concerning an Allocation of Spectrum for the
Private Mobile Radio Services

Dear Ms. Salas:

We respectfully submit these Reply Comments in regard to the above referenced and captioned Petition for Rule Making filed by the Land Mobile Communications Council (LMCC).

We have operated in the wireless communication industry for over thirty years dating back to when vacuum tubes were state of the art technology. We currently own and operate UHF community repeaters and 800 Mhz SMR systems. Although these systems are available for the general use of those who qualify, there are still operations that only need on-property communication or coverage only for the local area they provide service to.

We wholeheartedly support the spectrum allocation objectives contained within the LMCC's Petition for Rule Making and the Council's request that a meaningful dialogue must commence among the telecommunications leadership regarding the state of the private wireless industry.

While the amount of spectrum available for large commercial providers of wireless services has grown immensely over the past decade, the amount of private wireless spectrum has virtually stayed the same for twenty years. Security personnel for hospitals and parks must endure trucking, delivery, or service companies on the same channel. Hospitals needs for in-house communication are continuing to grow while the available spectrum continues to diminish.

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Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
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While commercial providers are good for providing a similar service to many efficiently, there are still operations that have a special need that can only be provided through their own private system. Many hospitals for example would be better served by their own in-house 3 to 5 channel trunk system at a specified part of the spectrum with limited output power adequate to cover the hospital property. This would enable them to communicate internally in case of disaster when commercial systems are busied out with over use or nonoperational due to damage or lack of power.

While many scenarios like this can be made, another issue to consider is the expense involved in paying a commercial usage fee for every unit used by police, fire, ambulance, utility vehicles, road and highway crews, etc. If every wireless device in service must pay a fee for service, this money must be come from somewhere. For government entities this would probably mean a need for higher taxes.

Recent national telecommunications policy has been directed at maximizing competition between commercial service providers through the exclusive use of spectrum auction procedures. While these are worthwhile objectives, they come at the expense of the private wireless industry. Auction process are misapplied in the shared spectrum environments that encompass virtually all private wireless radio system applications.

We, therefore, support the Industrial Telecommunications Association's proposal that the commission should diligently seek Congressional authority to implement efficiently-based spectrum lease fees as a private wireless license assignment alternative to competitive bidding procedures. Lease fees would ensure that a portion of the spectrum's value is compensated and would significantly promote spectrum efficiency, a fundamental objective of the FCC. These fees should be kept to a reasonable amount to achieve results without burdening needed users.

We also share the views expressed by a number of commenters in this proceeding that commercial providers are not equipped to accommodate all of the communication requirements of private wireless entities. In many private wireless system applications, the products, geographic coverage area and system integrity requirements simply cannot be satisfied through the communication services offered by commercial-oriented systems.

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Just as an in-house phone system need local extensions, intercom, and public address functions free from usage fees, while also needing connection to the outside world through local or long-distance providers, so do wireless communication users.

We appreciate the opportunity extended by the Commission to participate in this critical proceeding and request that the Commission expeditiously proceed to adopt a Notice of Proposed Rule Making consistent with the objectives of the LMCC's Petition for Rule Making.

Sincerely,



Louis A. Cartwright
President

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June 29, 1998

MAIL ROOM

Joseph P. deFulgentiis
PO Box 18062
Encino, California 91416

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Office of the Secretary,
Federal Communications Commission
Room 222
1919 M Street NW
Washington, D.C. 20554

Re: Reply on: (Petition RM-9267), to Protect Amateur Radio

I am writing this reply into the (Petition RM-9267), filed by the Land Mobile Radio Service. I am an amateur advance class radio operator. I have experience both as an amateur radio operator and as an U.S. Citizen in respects to emergency disasters. I feel that the current situation involved in the reallocation of the 70cm band to the Land Mobile Radio Service is both unreasonable and disastrous in its entire content. The following examples are given below in respects why I feel that the reallocation of the band is indeed a wrongful decision if made.

A) The following are personal experiences of the use of the 70cm Band.

- 1) I experience the following situation dating back to the year 1994. I went through personally the Northridge Earthquake. I know what it means not to have a good solid line of communication; many people in the area where I lived at the time had no means of communications. I found one individual that I met up with that was an amateur radio operator working what I know now is the 70cm band. He personally allowed myself and knows recently my wife to use his auto-patch through his repeater site to contact my family who lived out of the area.
- 2) The second experience is one as a disaster communications officer for the Los Angeles County Sheriff's Department Unit. I belong to the R.A.C.E.S. unit and know what it is to assist in disaster communications whereas during the Malibu fires of 1996, where amateur radio operators volunteer their services to help in the evacuation of residents of that area.
- 3) The third experience is participation in the Amateur Radio Emergency Services of the ARRL league whereas amateurs participate in preparedness of emergency services on a volunteer basis. The need of the allocation of the 70cm band from the amateur band to the Land Mobile Services, I feel it would be a disaster to the amateur radio in entire content. I as an amateur and an emergency disaster operator oppose this reallocation of the band.

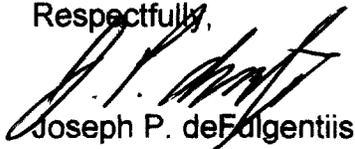
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B) Opinion on the reallocation of the Band

My position on the reallocation has to be given a long and reasonable answer in itself for the reallocation. I understand business and money is a vital role, but disaster services should and always been put as the most important aspect. I submit my comments to the commission and feel that my answer is firm and final, I oppose the reallocation of the band.

Respectfully,



Joseph P. deFulgentiis
KB6HT

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J&H RADIO
37 HATHAWAY ST.
WALLINGTON, NJ 07057
(201) 933-3303
FAX: (973) 779-2494

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July 1, 1998

Ms. Magalic Saslas
Secretary, FCC
Room 222
1919 M Street, NW
Washington D.C. 20554

Dear Ms. Salas:

I strongly support LMCC Petition for Rulemaking (RM-9267). The fast action by the FCC in seeking a public dialogue is commendable.

Our business is engaged in the commercial activity of selling and installing two-way radio systems to industry, institutions, and government entities throughout New Jersey. We have been in this business for over 30 years and currently employ 14 people. Our customers depend on private two-way radio systems to improve the safety and efficiency of their operation.

A private two-way radio system provides communications in a way that cellular and PC phone type systems cannot. Our customers have a need for instant, fleet-wide communications. Private systems may be designed in many different configurations allowing us to meet the specific coverage requirements of our customers.

In many instances, we are unable to provide private two-way radio systems to customers who could derive benefit from such a system due to the fact that we are unable to locate a suitable radio frequency. These customers are unable to enjoy the safety and productivity that is possible through the use of a private two-way radio system. Surely, this is not in the public interest.

The FCC should proceed as quickly as possible with this petition. We are experiencing strong economic growth in New Jersey and the lack of spectrum is a major impediment for both my company and our customers. Thank you for your prompt attention to this matter.

Sincerely:


Joe Mayerchak, Sr.
President of J&H Radio

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Sincerely:



William Mayerchak
Programming Management of J&H Radio

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Sincerely:



Joe Mayerchak, Jr.
Service Management of J&H Radio

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Sincerely:



Michele Mayerchak
Marketing Manager of J&H Radio

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JUL - 6 1998

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Mile High Radio Club
P.O. Box 1204
Idyllwild, CA 92549

July 2, 1998

Federal Communications Commission
Secretary of the FCC
Washington, D.C. 20554

Ref.: RM-9267

Dear Commission:

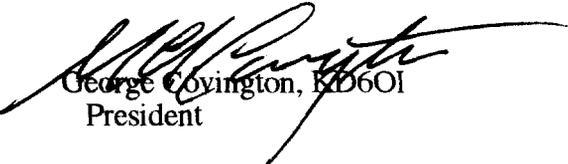
I am writing on behalf of the 55 licensed amateurs who are members of the Mile High Radio Club. We wish to go on record as being strongly opposed to the petition put forward by the Land Mobile Communications Council, RM-9267.

We are active on many Amateur Radio frequencies that promote the public welfare through emergency, disaster and public service communications. The frequencies stated in RM-9267 (420 MHz to 430 MHz and 440 MHz to 450 MHz) are very important to our continued success in serving the public through our work. These frequency band segments include important linking, control, amateur television and repeater systems that are used continuously in Southern California.

Amateur Radio has proven to be a successful secondary user to the military radar operations on these frequency bands. RM-9267 contains no technical solutions to prove that Amateur Radio users could continue to use these bands without serious interference if land mobile communications become the primary user.

Southern California is prone to a variety of natural disasters including earthquakes, wildfires, and landslides. In the past, our club has been instrumental in assisting local authorities with emergency communications. Amateur Radio operators in Southern California must continue to be a vital communications resource to the public during emergencies and disasters. If RM-9267 is approved, emergency communication capabilities in our disaster-prone area may be seriously compromised.

Sincerely,


George Covington, KD6OI
President

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FCC MAIL ROOM

June 30, 1998

Ms. Magalie Roman Salas
Secretary, FCC
Room 222
1919 M. Street, NW
Washington, D. C. 20554

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Ref: LMCC Petition for Rule Making (RM-9267)

Dear Ms. Salas:

I am taking this opportunity to express our support of the Petition for Rule Making filed by the LMCC seeking new spectrum allocations for private wireless users. We appreciate the expeditious manner with which this petition was put on public notice.

Our firm is a small communications company in the rural area of the Upper Peninsula of Michigan. We have three small shops with fourteen employees and serve approximately 20,000 square miles. Our customers use private radio exclusively. It is, and will be for many years to come, the backbone of communications for rural areas. The reduction of spectrum for private wireless users or the lack of new spectrum in the 150, 450, and 800 MHZ bands will cripple small businesses in rural areas. Because of distance and isolation, we must have good access to usable private radio spectrum. The issue of safety alone is overwhelming justification for new spectrum.

Although we have some Cellular coverage, it is only on the main highways. With no real trunking and no PCS, our customers rely only on private radio. Due to terrain, large forest areas, etc., there is no good, existing backbone system for deployment of high-tech systems. There is also very low population density to support the expensive buildout of such systems. Fifteen people per square mile is not good for utilization of such systems, but their concentration in a few communities reduces population to less than five per square mile in the outlying areas.

In conclusion, I would request that you act quickly to provide a maximum amount of new private radio spectrum for us and our customers, that you do as little refarming in rural areas as possible, and that you replace all auctions with leases so that we do not sell our "last oil well." Our government needs an unbroken revenue stream and access to frequencies for future technologies.

Thank you for your assistance in giving proper direction to these issues.

Sincerely,

Daniel C. Smith
President

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Copy: Senator Carl Levin, Senator Spencer Abraham, Rep. Bart Stupak