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EX PARTE OR LATE FILED

July 27, 1998

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: WT Docket 96-86

Dear Ms. Salas:

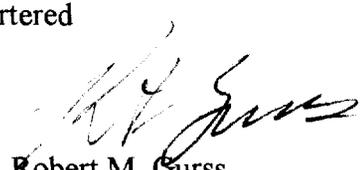
This is to inform the Commission that representatives of the Association of Public-Safety Communications Officials-International, Inc. ("APCO") met with Paul Misener of Commissioner Furchtgott-Roth's office and Karen Gulick of Commissioner Tristani's office on July 27, 1998, to discuss APCO's positions in the above-referenced matter, as those positions are set forth in APCO's comments and reply comments filed in response to the Second Notice of Proposed Rulemaking, and in the attached fact sheet which was presented at the meetings.

Please contact the undersigned should the Commission have any questions.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE,
Chartered

By:


Robert M. Gurss

Counsel for APCO

cc: Paul Misener, Esq.
Karen Gulick, Esq.
Mr. Jack Keating

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CONCERNS REGARDING STATE GOVERNMENT SPECTRUM MANAGEMENT

- Radio spectrum propagation does not honor state boundaries (which is why the FCC exists in the first place)
 - A spectrum plan for the State of New York is far less useful than a spectrum plan for the Tri-State New York City region. Channel assignments in New York City are more important to Northern New Jersey than to Buffalo. The same issues arise in multi-state metropolitan areas such as Boston, Philadelphia, Baltimore-Washington, and Chicago.
- Most state governments are ill-equipped and unwilling to assume the responsibility of managing radio spectrum. Requiring states to spend money to manage radio spectrum will be an “unfunded federal mandate.”
- Cities and counties, not states, are principal users of public safety spectrum. Police, fire, and EMS, services are all provided primarily at the local level.
- Many cities and counties are concerned that their interests will become subservient to state government entities.
- State-wide systems have been and will continue to be planned within regional planning committees.
- Use of the new 764-806 MHz band is most likely at the county and city level. In large states, state-wide radio systems are more likely to be in lower frequency bands due to the high cost of covering large areas with 764-806 MHz signals.
- Regional planning has led to the successful assignment of 821 MHz frequencies for nearly 11,000 public safety base station transmitters.
- All of the states and state agencies that filed comments in the response to the Second Notice supported regional planning.
- The nation’s police chiefs are strongly in favor of regional planning and are opposed to state government planning.