

DOCKET FILE COPY ORIGINAL  
**CHADMOORE WIRELESS GROUP, Inc.**

September 15, 1998

**Via Federal Express**

Ms. Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, DC 20554

RECEIVED  
SEP 17 1998  
FCC MAIL ROOM

Re: In the Matter of Promotion of Spectrum Efficient Technologies  
On Certain Part 90 Frequencies; RM-9332  
**Reply Comments of Chadmoore Wireless Group**

Dear Ms. Salas:

Enclosed herewith, are an original and five copies of the Reply Comments of the Chadmoore Wireless Group in the above-captioned proceeding.

Following attempts to file this item electronically yesterday, September 15th, 1998, we were informed by Ms. Cheryl Segal of the Commission's staff that this Reply Comment could not be filed electronically; and, in accordance with her instructions we immediately transmitted to her for hand delivery to your office, a facsimile copy of the filing so it would be presented to the Commission on a timely basis. Also, in accordance with Ms. Segal's instructions, we herewith transmit the original and five service copies as well as a copy on computer diskette as currently required by the Commission's rules.

Should questions or concerns be presented with regard to this Reply Comments filing, kindly contact the undersigned.

Very truly yours,

Rick D. Rhodes

Enclosures

Rec'd of [unclear] res'd OJS  
DATE [unclear] MMB



To: Cheryl Segal Date: 9-15-98  
Company: FCC Fax Number: (202) 418-2811

FCC MAIL ROOM  
**Chadmoore Wireless Group, Inc.**  
2875 E. Patrick Lane, Suite G, Las Vegas, Nevada 89120  
Phone: (702) 740-5633 Fax: (702) 740-5643

From: Rick D. Rhodes

Pages including cover: 6 Pages

Response Requested:  Yes  
 Yes, When Convenient  
 No

Comments:

Thank you for all your help  
filing with the Secretary.

The enclosed fax is intended for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received communication in error, please notify us immediately by telephone and return the original message to us at the address listed above via the US Postal Service. Thank You.

DOCKET FILE COPY ORIGINAL

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

In the Matter of )  
)  
)  
)  
Promotion of Spectrum Efficient )  
Technologies on Certain Part 90 )  
Frequencies )  
)  
)  
)

RM-9332

RECEIVED  
SEP 15 1998  
FCC MAIL ROOM

To: The Commission

**REPLY COMMENTS of the CHADMOORE WIRELESS GROUP**

In accordance with §1.405 of the Rules and Regulations of the Federal Communications Commission (“Commission” or “FCC”)[47 C.F.R. §1.405 (1997)] Chadmoore Wireless Group, Inc. (“Chadmoore”) respectfully submits these Reply Comments in the above-captioned proceeding. Chadmoore is concerned that should the Commission adopt the entire policy course recommended by American Mobile Telecommunications Association (“AMTA”), the rights of incumbent 800 MHz licensees will be negatively impacted. Thus, Chadmoore is pleased to have this opportunity to respond to the AMTA Petition and the follow-up comment filings.

**I. INTRODUCTION AND BACKGROUND STATEMENT**

1. Chadmoore is a licensee and a manager of numerous facilities authorized throughout the nation in the 800 MHz Special Mobile Radio (“SMR”) service. Chadmoore has now activated full market services through its 800 MHz authorized facilities in 80 cities throughout the southeastern and midwestern United States.

Chadmoore holds additional authorizations and is in the process of constructing and offering services on a wide area basis by which it is expected that Chadmoore's services ultimately will be available in 168 markets. Chadmoore's system encompasses facilities which operate on frequency assignments from both the "lower 80" and "upper 200" SMR channels as well as General Category channels.

2. While numerous new entrants in the mobile radio service arena apparently are concentrating on large-scale business customers, Chadmoore has taken a different approach. Chadmoore's principle thrust of its marketing activity has been to provide basic voice and data telecommunications services to small businesses who do not always have the resources to afford the more expensive and technologically complex services offered by large-scale CMRS entities. Thus, many smaller business entities in the markets served by Chadmoore have taken advantage of Chadmoore's services and have realized the benefits of mobile telecommunications capabilities to enhance the efficiency of their business operations. Without Chadmoore's offerings, many smaller businesses who now have reliable mobile telecommunications access, would be placed at a competitive disadvantage and would be unable to enjoy the benefits that wireless telephony and related services can bring to small businesses. Chadmoore also notes that many of its customers have heightened needs for reliable and affordable capabilities. For example, in some markets, Chadmoore provides telecommunications services to small private ambulance services, which count on Chadmoore's system to ensure prompt dispatch in emergencies. Thus, Chadmoore believes that it provides a valuable service to its niche market and that the Commission must take steps to enable Chadmoore and other

similar service providers to continue to make their brand of services available to under-served segments of the business community.

## **II. REPLY COMMENTS**

3. By the instant Petition for Rulemaking, AMTA suggests that the Commission should require a relatively rapid and Commission-mandated migration to more spectrum-efficient equipment. Chadmoore agrees that an eventual migration to narrowband operational methodologies will create additional spectrum opportunity, and such a migration, if properly planned and implemented, is a worthwhile goal. Nevertheless, Chadmoore is in agreement with certain commentors in this proceeding that AMTA's proposal to fast-track Commission-mandated migration to narrowband technologies is misplaced and largely unnecessary as applied to spectrum assignments in the 800 MHz range.

4. More particularly, Chadmoore agrees with the Council of Independent Communications Suppliers ("CICS") that the general issue of whether or not to have mandated migration to narrowband equipment was resolved in the Commission's refarming proceeding.<sup>1</sup> Moreover, it is particularly important to note that the AMTA proposal includes 800 MHz systems operating on spectrum from the Industrial Land Transportation and Business pools. As CICS points out, any consideration of early migration in these bands should be conducted independently of other Part 90 bands.<sup>2</sup> As explained by CICS, the equipment type acceptance requirements which have been put in place for the VHF and UHF bands cannot be applied to the 800 MHz bands because the potential supply of narrowband 800 MHz equipment is severely limited. Moreover,

---

<sup>1</sup> Comments of CICS at page 3

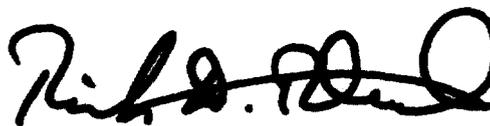
<sup>2</sup> Id.

there is no certainty as to when such equipment will generally be available to operators on a cost-effective basis. Therefore, the narrowband transition in the 800 MHz range cannot be managed in the same manner as in the VHF and UHF bands. Thus, the AMTA proposal, as applied to 800 MHz licenses, has the potential to create undue hardship on 800 MHz licensees. Further, as pointed out by CICS, the Commission already has released a Further Notice of Proposed Rulemaking regarding market-based incentives for system migration. Thus, the issues raised in AMTA's Petition, as applied to 800 MHz licenses are premature.

5. Additionally, as CICS explains, the narrowband transition already is under way, and likely can be managed and implemented without additional Commission action.<sup>3</sup> Chadmoore agrees with CICS that as the need for spectrum increases in the future when narrowband equipment and other spectrum efficient technologies become more affordable, the marketplace clearly will dictate the transition to narrowband technologies.

**Wherefore, the premises considered,** Chadmoore respectfully seeks Commission action in accordance with the foregoing Reply Comments.

Respectfully Submitted,



---

Rick D. Rhodes  
Senior Vice President and Chief Regulatory Officer  
Chadmoore Wireless Group  
2875 E. Patrick Lane, Suite G  
Las Vegas, Nevada 89120  
(702) 740-5633

Date: September 15, 1998

---

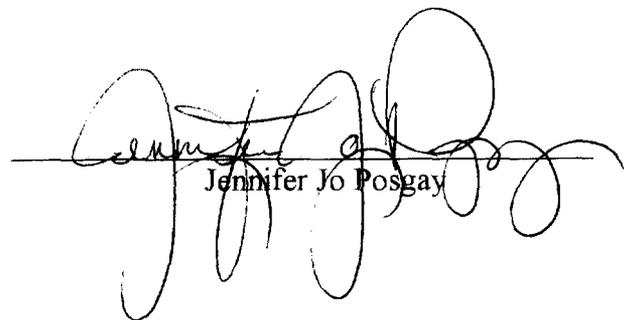
<sup>3</sup> CICS Comments at page 4.

CERTIFICATE OF SERVICE

I, Jennifer Jo Posgay, hereby certify that on this 15<sup>th</sup> day of September, 1998, copies of the forgoing "Reply Comments" have been served by first class United States Mail, postage prepaid, upon the following:

Alan R. Shark  
American Mobile Telecommunications Association Inc.  
1150 18<sup>th</sup> Street, N.W., Suite 250  
Washington, D.C. 20036

Samuel Klein  
Council of Independent Communication Suppliers  
1110 North Glebe Road, Suite 500  
Arlington, Virginia 22201-5720



Jennifer Jo Posgay