

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Wireless Telecommunications Bureau) WT Docket No. 14-180
Reminds Paging and Radiotelephone Service)
Licensees of Certain Technical Rules and)
Seeks Comment on the Need for Technical)
Flexibility)

REPLY COMMENTS OF NEBRASKA PUBLIC POWER DISTRICT

Nebraska Public Power District (“NPPD”), as an end user of Part 22 frequencies, supports the concept of additional technical and operational flexibility in the Part 22 Paging and Radiotelephone Service. NPPD supports many of the prior comments given to the FCC on this issue. NPPD proposes that the FCC take the following actions with regard to the Part 22 Paging and Radiotelephone service rules:

- a. Eliminate the Rule Section 20.9(a)(6) requirement that Part 22 paging spectrum be regulated as Commercial Mobile Radio Service.
- b. Confirm that Part 22 frequencies can be used for trunked and conventional two-way radio systems as well as for data and telemetry. Telemetry is particularly important to utilities and municipalities who need to remotely monitor and control their infrastructure to provide safe, reliable, and low cost services to the public. While telemetry is secondary to voice on almost all Part 90 channels, telemetry is well suited for the exclusive use privileges given to Part 22 licensees.
- c. Part 22 build-out requirements for private internal use should be based on meeting a valid communication need of the licensee (not necessarily on population coverage). In most cases of private internal use, the valid communication need is not based on the percentage of population covered as is required under the current Part 22 rules. As an example, Utility “A” serves a metropolitan area, while Utility “B” serves the surrounding rural area. Utility “B” has a valid communication requirement for reliable two-way radio coverage in its rural service area. Under the current Part 22 framework, Utility “B” may need to construct its base station in the metropolitan area served by Utility “A” to meet a population based build-out requirement even though their valid communication need is for coverage in the surrounding rural areas. This would result in marginal coverage being provided in the Utility “B” service area.

Another problematic scenario can occur when a Part 22 licensee needs reliable communications along the border of an Economic Area (“EA”) or Major Economic Area (“MEA”). Since the interference contour extends into the adjacent geographic area, the Part 22 licensee must obtain the adjacent license or the consent of the adjacent licensee. Since the base station coverage is divided between the two geographic areas, it is likely that the population based requirement cannot be met in the geographic area where the base station is located. In addition, the current Part 22 rules also require a base station to be located in the adjacent area to meet the build-out requirements for the adjacent area. The base station located in the adjacent area might not be needed by the licensee and if it were constructed could cause interference to the base station providing coverage along the EA/MEA border.

- d. Either side of the paired Part 22.561 channels should be available for base, mobile, or mobile talk-around use. In addition, building out one-side of the pair with a valid communications purpose should constitute meeting the build-out requirements of the Part 22 license. This would allow a Part 22 geographic licensee to build out the mobile side of the pair if there is a site based incumbent using the base side of the pair for one-way paging.

This flexibility would also be beneficial for expansion of existing frequency constrained Part 90 two-way radio systems, especially in the VHF band where Part 90 frequencies are not paired. Adding additional channels on trunked two-way radio sites where multiple transmitters may be combined into a single antenna requires that the combination of frequencies does not produce harmful intermodulation products, that they are spaced properly for the filtering equipment, and most importantly that they can be licensed as an FB8. For these reasons, it is very challenging to find additional Part 90 frequencies that can be used to expand a trunked radio site. Allowing additional flexibility for Part 22 frequencies would open up many opportunities for expansion of trunked Part 90 systems. It would also be helpful for the FCC to confirm that a VHF Part 22 frequency could be paired with a VHF Part 90 frequency to make a pair for a trunked radio site.

- e. Two-way radio base, mobile, or mobile talk-around operations should be permitted on the Part 22.531 one-way paging channels.
- f. The FCC should consider eliminating the three year build-out requirement and also schedule Part 22 auctions more regularly. Since the Part 22 auctions do not occur often or on a regular schedule, an incentive is created for auction participants to obtain licenses they may not have the capacity to build out within three years. Having the build-out requirement set at five years would allow time to budget, engineer, and deploy equipment using the frequencies won in the auction.

- g. The mobile transmitter output power limitation should be raised from 60 Watts to 100 Watts. This would be more consistent with Part 90 rules and standard equipment used in two-way radio systems.
- h. Equipment which has been approved for use under Part 90 should automatically be approved for use on Part 22 frequencies.
- i. The FCC should consider allowing the use of offset frequencies and/or TDMA technology within each Part 22 channel.

Respectfully submitted,
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