

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 )  
Creation of Interstitial 12.5 kHz Channels in the ) WP Docket No. 15-32  
800 MHz Band Between 809-817/854-862 MHz ) RM-11572

**COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to the Commission’s *Notice of Proposed Rulemaking*, FCC 15-17, released February 9, 2015 (“*NPRM*”), in the above-captioned proceeding.

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 22,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including Public Safety Answering Points (PSAPs), dispatch centers, emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies. APCO appears regularly before the Commission on a wide range of public safety communications issues, and is the largest FCC-certified frequency coordinator for Part 90 Public Safety Pool channels.

The Commission is proposing the creation of new, full power, interstitial 12.5 kHz offset channels in the 809-817/854-862 MHz bands. In general, APCO agrees that new 12.5 kHz interstitial channels, with appropriate interference safeguards and coordination guidelines, could provide some additional spectrum capacity in the 800 MHz band. While limited in scope, such additional capacity could help alleviate significant spectrum congestion that exists in much of the

nation. The danger, however, is that adding new channels without appropriate protections could interfere with existing operations, including critical public safety communications, and result in a net loss of useable spectrum.

Therefore, APCO supports the Commission's proposal, provided that adequate provisions are included to protect 800 MHz band incumbents from interference and to ensure that public safety licensees have a fair opportunity to obtain the new channels for critical first responder communications. APCO is currently working with the other certified frequency coordinators (through the Land Mobile Communications Council) to develop and refine interference protection criteria and coordination guidelines for the proposed 12.5 kHz interstitial channels in the 800 MHz band, and any Commission rules adopted regarding such channels should require compliance with the criteria and guidelines established by LMCC.

The Commission should maintain the current service pools for new interstitial channels, with eligibility for each channel based upon the existing eligibility of the "main" channel that is 12.5 kHz below the new interstitial channel. This approach will preserve the ability of public safety entities (and others in each service pool) to have fair opportunities to obtain new channels. Moreover, it will substantially reduce the potential for non-public safety licensees to be "offset" to public safety licensees, thus limiting the potential for interference to critical radio systems. Public safety coordinators and licensees will then be able to manage contiguous spectrum (including "offset" channels) to maximize efficiency without causing new sources of interference.

APCO agrees with the Commission's proposal that new interstitial channels not be made available for licensing until after 800 MHz rebanding is completed in each NPSPAC region. Furthermore, new interstitial channels offset to ESMR channels vacated pursuant to rebanding

should only be available to public safety licensees, at least until the end of the three-year exclusive licensing period established in the rebanding proceeding for those channels.<sup>1</sup>

Otherwise, non-public safety entities will be able to undermine the Commission-established public safety exclusivity for the released ESMR channels.

APCO also supports allowing current T-Band public safety licensees a limited preference for the interstitial channels, as suggested in the *NPRM*. The number of new interstitial 12.5 kHz channels in the 800 MHz band will be relatively small, especially in spectrum-congested metropolitan areas. Thus, the proposed preference will only provide partial relief for public safety licensees required to relinquish their T-Band spectrum pursuant to current law.<sup>2</sup> Nevertheless, the new channels could be helpful for many T-Band licensees (especially those that are also licensees of contiguous 800 MHz channels), and a limited preference for their use is appropriate. APCO recommends that T-Band licensees be given a preference for a three-year period (starting when the channels become available for licensing), similar to the preferences adopted for the former 700 MHz reserve band spectrum.<sup>3</sup>

With regard to authorized bandwidth and emission mask issues, APCO agrees with the proposed authorized bandwidth of 11.25 kHz for licensees operating on interstitial 12.5 kHz channels. We also agree with the recommendation that emission mask “D” apply to operations on the 800 MHz interstitial channels, consistent with rules for interstitial channels in other PLMR bands. The interstitial channels should be 12.5 kHz bandwidth, not 25 kHz, so as to minimize the channel overlap and potential for interference. APCO does not support aggregation

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<sup>1</sup> 47 C.F.R. § 90.615.

<sup>2</sup> See *NPRM*, note 104.

<sup>3</sup> Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands, *Report and Order*, 29 FCC Rcd 13283 (2014).

of 25 kHz channels to facilitate wideband technology, as suggested by UTC, at least not at the present time. The Commission should defer consideration of that issue until rebanding is complete and a more stable spectrum environment is established.

APCO disagrees with suggestions that technologies used on 12.5 kHz interstitial channels be capable of providing two or more voice or data paths per channel. Rather, the rules should reflect current rules that accommodate P25 Phase I or low power analog operations, which can sometimes be inserted in congested areas.

As noted above, APCO is working with other certified frequency coordinators to establish coordination procedures for the proposed 12.5 kHz interstitial channels in the 800 MHz band. Such procedures should incorporate standard contours and or mileage separations to simplify the coordination process. Contours used in the coordination process must be subject to independent testing and verification (*e.g.*, by TIA). APCO would also support use of tile-based matrix studies using TSB-88 methods when proposed operations fail a contour analysis.

## CONCLUSION

APCO supports the creation of new, full power, interstitial 12.5 kHz offset channels in the 809-817/854-862 MHz bands consistent with its comments herein.

Respectfully submitted,

APCO INTERNATIONAL

By: /s/

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