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July 7, 2015

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation, PS Docket No. 13-229, and RM-11635.

Dear Ms. Dortch:

The Utilities Telecom Council is providing the following written ex parte in the above-referenced proceedings in accordance with Section 1.1206 of the Commission's Rules. The purpose of this ex parte is to indicate for the record UTC's support for allowing the use of Vehicular Repeater Systems (VRS) on the six 173 MHz telemetry channels under the following conditions:

- Applications would require prior coordination by one of the FCC-certified Part 90 Frequency Advisory Committees; and
- VRS operations would be authorized on a secondary basis for operations licensed for statewide systems; and on a co-primary basis for operations licensed to local systems.

UTC also supports rule changes that would permit telemetry systems on these "splinter channels" to operate on 12.5 kHz wide channels and would reduce other technical restrictions in order to promote greater use of the channels for utility telemetry operations. UTC urges the Commission to permit 12.5 kHz channels not only on the 173 MHz splinter channels, but also on the 154 MHz splinter channels, as well.

Although UTC has previously opposed VRS use of the 173 MHz telemetry channels due to concerns about interference to and from utility telemetry systems that are used for SCADA, early warning sirens and other mission critical operations that ensure the safety and reliability of utility delivery systems; UTC now believes that as a technical matter it is possible that the potential for interference can be mitigated through the development and application of appropriate standards for frequency coordination of VRS use of these channels. In that regard, UTC recognizes that the Land Mobile Communications Council ("LMCC") has filed a letter for the record indicating its intent to develop standards for the FCC-certified Frequency Advisory Committees ("FACs") to follow when coordinating applications that would propose to use the 173 MHz telemetry channels for VRS.¹ Once the LMCC has developed these standards, applicants for VRS systems may seek prior coordination from one of the FCC-certified FACs and, if coordinated, then apply to the Commission for authorization to operate VRS systems on the 173 MHz telemetry channels.

Despite prior coordination of VRS applications by the FCC-certified Part 90 FACs, UTC remains concerned that potential interference and congestion may occur as the result of widespread VRS use of

¹See Letter to Admiral David G. Simpson, Chief of the Public Safety and Homeland Security Bureau from Mark E. Crosby, Secretary/Treasurer, Land Mobile Communications Council in PS Docket No. 13-229 and RM-11635 (filed Apr. 20, 2015).

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the 173 MHz telemetry channels. In that regard, UTC supports additional safeguards, under which VRS would only be authorized on a secondary basis for statewide systems. This limitation would help to balance the need for public safety to access these frequencies while at the same time protecting utility operations in the event that statewide systems cause harmful interference to utility telemetry systems on these frequencies. UTC is concerned that the authorization of local VRS systems on a primary basis may cause harmful interference and congestion, and that utilities would not be protected against such interference. UTC urges the Commission to revisit this issue and to authorize all VRS systems (statewide and local systems) only on a secondary basis, if harmful interference and congestion occurs as a result of VRS use of the 173 MHz telemetry channels in the future.

UTC supports allowing wider channels and relaxing other technical restrictions to promote greater use of the splinter channels. Utilities have increasing demand for higher capacity for data communications and widening the splinter channels to permit 12.5 kHz operations will help to meet utilities' increasing capacity requirements. Further, utilities need to be able to provide coverage over wide areas, and reducing antenna height and power limitations will also help utilities to meet their coverage requirements.

UTC thanks the Commission and the Bureau for their careful consideration of this issue and their concern for protecting the safety and reliability of utility telemetry systems that are licensed to operate on these frequencies. Therefore, UTC supports the adoption of rules by the Commission that permit VRS use of the 173 MHz telemetry channels while protecting existing utility telemetry operations, as described above.

Respectfully,



Brett Kilbourne

cc:
Chairman Wheeler
Commissioner Clyburn
Commissioner Rosenworcel
Commissioner Pai
Commissioner O'Rielly
Admiral David G. Simpson
David Furth