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United States Senate  
WASHINGTON, DC 20510

COMMITTEES  
BANKING  
DEMOCRATIC POLICY & COMMUNICATIONS  
FINANCE  
JUDICIARY  
RULES

June 8, 2015

*Public Safety  
Emergency Comm  
Spectrum  
Commercial  
Wireless*

The Honorable John F. Kerry  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

The Honorable Thomas Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Dear Secretary Kerry and Chairman Wheeler,

I am writing to ask for your immediate assistance with an important issue in my home state of New York. In Wyoming County, first responders have been working diligently over the last several years to improve their emergency communications. They secured significant grant funding, which will expire next year, in order to complete this project. However they have run into a substantial bureaucratic hurdle in securing Very High Frequency (VHF) radio frequencies for the county to operate Fire and EMS communications. Wyoming County is located extremely close to the Canadian border, and because of the county's proximity to Canada, they are forced to get approval from the Canadian government for their new radio frequency. Unfortunately, the county has run up against repeated roadblocks and cannot even get the Canadian government to schedule an On-Air-Test (OAT), which must be done in coordination with the FCC. Wyoming has secured a grant for \$1.8 million to pay for new radios and tower equipment, but because Canada has yet to permit access the frequency needed, the project has been severely delayed. The project will put a new radio in every fire/EMS unit in the county and allow complete interoperability with all aspects of public safety in Wyoming County.

It is my understanding that traditionally, the FCC has taken the laboring oar with respect to U.S.-Canadian frequency coordination. However the time sensitive need of Wyoming County and the potential effect that securing an emergency frequency can have is sufficiently important that I believe that the State Department should intervene to help ensure a successful result. I have previously urged the State Department and the FCC to work together to deal with cross-border frequency issues; I still firmly believe that the decisions about coordination between the U.S. and Canada will affect numerous U.S. citizens who live near the border and should be made with the benefit of the State Department's international negotiations expertise.

I would also ask that the FCC continue their work with Wyoming County to ensure that once any remaining issues between the county and Canada are resolved the county is then able to quickly and efficiently acquire and set up their frequency communications.

I hope both the State Department and the Commission will work together to resolve this issue quickly. Thank you for your assistance in this matter and I look forward to continuing our work together to ensure the availability of emergency communications both in New York State and nationwide.

Sincerely,

A handwritten signature in blue ink that reads "Charles E. Schumer". The signature is written in a cursive style with a long horizontal stroke at the end.

Charles E. Schumer  
United States Senator



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

July 14, 2015

The Honorable Charles E. Schumer  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Schumer:

Thank you for your letter of June 8, 2015 concerning the delays that Wyoming County, New York, previously encountered in obtaining Canadian concurrence for the County's Very High Frequency (VHF) interoperable communications system. I am pleased to report that, as of this writing, all six of Wyoming County's sites have completed testing, and Industry Canada has concurred that the County's proposed sites are not a source of interference to Canada's facilities.

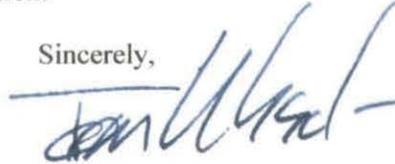
As you are aware, our agreements with Canada for use of the VHF band establish a "first come, first served" protocol whereby stations in the U.S. and Canada are afforded protection against interference once they are licensed by their respective agencies. However, the U.S. and Canada have made such intensive use of the VHF band that only a limited number of VHF channels are available in either country in the area near Wyoming County which, at its closest point, is only 27 miles from the Canada border. After working with the County and Industry Canada to schedule with Canada an "on-air-test" (OAT) of potential interference that the County's facilities could cause to Canadian licensees, Federal Communications Commission engineers began OATs with Industry Canada on June 4, 2015.

As we now have Canadian concurrence following the OATs, the Commission is prepared to provide Special Temporary Authority (STA) for the County to operate its facilities, pending processing of the County's license applications. However, before the Commission can grant an STA, the County must obtain a "no hazard" determination from the Federal Aviation Administration for one of its tower locations, which the County previously submitted to the FAA with incorrect coordinates. The County has advised us that it has corrected the error and resubmitted the application to the FAA, which will conduct an airspace study to ensure that tower does not present a hazard to air navigation. Once the County receives the required no-hazard determination from the FAA, it may file its STA request with the Public Safety and Homeland Security Bureau, and the Bureau will process the request promptly.

We remain committed to our support of public safety communications, particularly for those regions like Wyoming County which are interoperable with neighboring jurisdictions. We believe that the STA process will support the improved public safety communications outcome Wyoming County seeks to achieve. We will follow the County's progress closely and be prepared to provide any assistance as needed.

Thank you for calling this matter to my attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line underneath the first part of the signature.

Tom Wheeler