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Original letter - WT DOCKET
NO. 97-81

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March 12, 1998

Speaker Newt Gingrich
U. S. House of Representatives
Washington, D.C. 20515

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Re: FCC Proposed Rulemaking
Amendment of the Commission's Rules Regarding
Multiple Address Systems (MAS)
WT Docket No. 97-81

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Speaker Gingrich,

I am writing this letter to call to your attention certain policy decisions that are under consideration by the Federal Communications Commission in response to the 1996 Telecommunication Act. Specifically, I wanted to make you aware of the concerns that the water utilities in the U.S. have with regard to radio frequency availability. The availability of radio as the communication medium for centralized control systems for water distribution systems is essential if water systems are to provide water supply under both normal and emergency conditions. As a member of the American Water Works Association, Telecommunications Advisory Work Group, my primary concern is with the water utilities of the country. I would also point out however, that this concern is shared by the other critical utilities in the U. S.; electric power, gas distribution and the pipelines.

The Federal Communications Commission is now engaged in important deliberations [Amendment of the Commission's Rules Regarding Multiple Address Systems (MAS), WT Docket No. 97-81] which will determine the availability of spectrum needed by "critical national infrastructure" organizations for voice and data telecommunications. Continued and expanded access to the spectrum under consideration is critical to community water systems, as well as, power, gas and pipeline utilities.

Since the inception of the MAS service in the early 1980's, electric, gas and water utilities have invested hundreds of millions of dollars in MAS to meet internal communications needs; i.e. infrastructure management, distribution automation and operation of multiple remote facilities (i.e. supervisory control and data acquisition - SCADA). This technology is the primary, and in many cases the only method of monitoring and controlling diversely located utility system components.

In preparing the Balanced Budget Act of 1997 Congress clearly identified the Nation's need for adequate radio spectrum to meet public safety needs. Not only does the Act specifically provide spectrum to meet the future needs of police, fire and other first responders, Congress also

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instructed the Federal Communications Commission (FCC) to insure that adequate spectrum is available for critical national infrastructure agencies; particularly, utilities, railroads, transit systems and pipelines. This instruction has clear implications for the current rulemaking for MAS. In order to meet these critical infrastructure needs, I believe that the actions of the FCC in the matter of WT Docket No. 97-81 should include the following:

- ◆ Designate a spectrum set aside for use by private, internal MAS systems that operate on a non-fee-for-service (non-subscriber) basis. Eligibility for these channels includes water, gas, pipeline and electric utilities (also referred to as "critical national infrastructure" agencies). This set-aside would consist of the existing 928/952/956 MHz band, and at least twenty channels in the 932/941 MHz band.
- ◆ Maintain the current rule limitations on MAS that requires use be primarily point-to-multi point communications.
- ◆ Preserve all 928/952/956 MHz channels for use on a site-specific basis only.
- ◆ Include anti-speculation provisions in all private internal MAS pools to preserve these channels for critical infrastructure users.

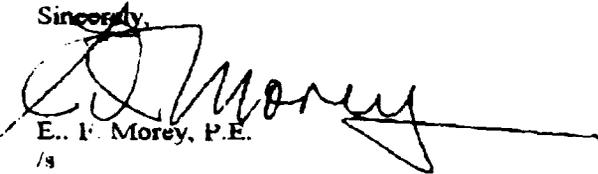
A critically important component of the FCC's Spectrum Management Strategy is insuring adequate spectrum resources are available to critical users. This emphasis was reaffirmed by the Balanced Budget Act of 1987.

Now, specifically, what is it that we would like for you to consider doing in this matter? We feel that a direct and personal contact by you to the FCC requesting that the four points we have listed above be incorporated in their decision would be most helpful in getting our thoughts across to the FCC. We feel that the serious nature of this matter really deserves a personal contact by yourself.

Without significant intervention from the Congress, I have the strong feeling that the FCC may well take the path of least resistance and auction off these frequencies. This would be a real blow to public water supply systems in the U. S.

As I have explained in this letter and previous correspondence, this is an extremely critical issue with America's public water supply systems. We hope that you will be able to help us in this matter. I and other representatives of the water utility industry would be available to meet with you in Atlanta or Washington to discuss this matter further.

Sincerely,


E. F. Morey, P.E.

/s

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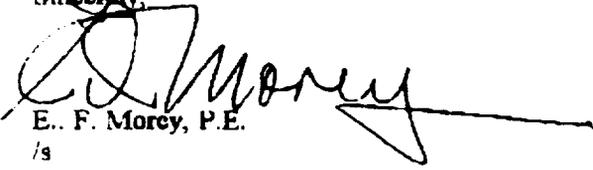
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