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December 14, 1998

The Honorable Magalie Roman Salas
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

RE: RM-9405 -- NYSEG Comments in Support of UTC's Petition
to Create a Public Service Radio Service

Dear Secretary Salas:

New York State Electric & Gas Corporation (NYSEG) hereby files comments in favor of the Petition for Rulemaking (Petition) submitted in the above-referenced proceeding. In its Petition, UTC - The Telecommunications Association (UTC) proposes to reserve certain frequency bands for use by utilities, pipelines, railroads and other critical infrastructure providers.

As outlined in the Petition, the placement and consolidation of utilities, pipelines and railroads into the generic industrial/business pool, without regard for mutual frequency coordination, has caused problems already. In particular, NYSEG would note that its statewide frequency (173.35 MHz) was recently licensed by the Federal Communications Commission (FCC) to a paging company. This error occurred because the license application process was coordinated only by the business radio users section, with no request for coordination issued to the UTC.

NYSEG, however, became aware of the inappropriate license designation prior to the paging company implementing its system. As a result, no interference was experienced by NYSEG in its delivery of essential electric and gas services. Correcting the problem required time and effort on the part of NYSEG, UTC and FCC staffers. That time, effort and potential interference could have been avoided by designating certain frequencies as "public service radio service" bands for critical infrastructure service providers, including utilities, pipelines and railroads.

The power services noted in the Petition are required for the adequate and safe operation of the infrastructures critical to the proper functioning of the economy of the United States. Radio interference from external entities, such as paging entities, on these critical radio systems could jeopardize them, and they, therefore, should be treated the same as "public safety" sectors.

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NYSEG respectfully requests that the FCC approve the Petition and allocate selected frequency bands for exclusive use by critical infrastructure providers. If you need additional information, please contact me at 607-762-7691 or pmpropert@nyseg.com. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia M. Probert".

Patricia M. Probert
Manager - Telecommunications
and Networks