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April 10, 2000

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: Ex Parte Meeting Notices, WT 96-86

Dear Ms. Salas:

Enclosed are copies of ex parte notices that were filed electronically in proceeding WT 96-86 on April 5, 2000.

If there are any questions, please do not hesitate to contact me. I can be reached at (804) 592-7037.

Sincerely,



Robert J. Speidel, Esq.
Manager, Regulatory Programs.

cc: Ralph Haller

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Lynchburg, VA 24501

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April 5, 2000

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: Ex Parte Meeting Notice, WT 96-86

Dear Ms. Salas:

Please be advised that on April 5, 2000 the undersigned and Mr. Ralph Haller of Fox Ridge Communications, Inc. met with Mr. Adam D. Krinsky, Legal Advisor to Commissioner Tristani, for discussion on the above referenced proceeding. The topics of discussion were centered on a number of items raised in the Ericsson Inc. Petition for Reconsideration in the above referenced proceeding. The Petition for Reconsideration was filed on December 2, 1998, and a copy of such petition was provided to Mr. Krinsky.

One item discussed was the issue of changes needed to the 700 MHz public safety band plan to achieve technology neutrality. We noted that while the first Report and Order in the proceeding stated that up to four narrowband 6.25 kHz channels could be combined to accommodate spectrally efficient technologies, such was simply not the case when one considered the spectrum had also been classified into general use, interoperability and reserved categories. In many places in some of these categories four contiguous 6.25 kHz to be combined up to 25 kHz simply do not exist. We provided Mr. Krinsky with copies of charts that depict the band plan as adopted, as well as a modified band plan that does in fact provide at least four contiguous narrowband 6.25 kHz channels in all of the categories of the 700 MHz public safety spectrum. The charts provided to Mr. Krinsky were previously filed in this proceeding in the fall of 1999 as part of an ex parte notice concerning a meeting with Mr. Dale Hatfield and Mr. Julie Knapp of the Office of Engineering and Technology.

Another item discussed was the need to supplement or correct the spectrum efficiency requirement for the narrowband portion of this spectrum. In the Report and Order the spectrum efficiency requirement was simply stated as 4.8 kbps per 6.25 kHz of bandwidth. We believe that this requirement is incomplete and should also state an efficiency requirement in terms of voice paths per occupied bandwidth, as was done in the Refarming procedure. Stating the requirement only in terms of data rate per

bandwidth does not necessarily translate into an equally efficient voice requirement. We noted that many technologies may satisfy the 4.8 kbps per 6.25 kHz requirement, yet they only provide one voice path in 12.5 kHz or one voice path in 25 kHz. Allowing this sort of inefficient voice communication in this new public safety spectrum would not be in the best interest of public safety communications in the long term. We also noted that Mr. Tom Sugrue, Chief of the Wireless Bureau, was absolutely correct when he said during his comments to the National Coordinating Committee in January 2000, that he expected an efficiency of one voice path per 6.25 kHz for equipment in this new band.

Since this is new public safety spectrum, and equipment is not available for use now, we informed Mr. Krinsky that we expected 12.5 kHz or equivalent equipment and 6.25 kHz or equivalent equipment could and should be available at essentially the same time. In other words, we believe that the availability of equipment, even 6.25 kHz or equivalent equipment is not the pacing item determining when this spectrum will be substantially useable by public safety. The key item determining when this spectrum can be used by public safety, in the areas where it is needed, is the existence and continuance of television operations until at least December 31, 2006. Thus, we believe that imposing a one voice path per 6.25 kHz bandwidth voice efficiency requirement right from the start is the proper thing to do, and will, have no additional dilatory effect on the utilization of this spectrum by public safety. If one considers that the Public Safety Wireless Advisory Committee assumed a spectrum efficiency requirement even more stringent than the one voice path in 6.25 kHz requirement, then mandating a one voice path per 6.25 kHz of bandwidth requirement at this time is the only correct thing to do.

If there are any questions, please do not hesitate to contact me. I can be reached at (804) 592-7037.

Sincerely,



Robert J. Speidel, Esq.
Manager, Regulatory Programs.

cc: Adam D. Krinsky