

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Reorganization and Revision of)	WT Docket No. 94-148
Parts 1, 2, 21, and 94 of)	
The Rules to Establish a New)	
Part 101 Governing Terrestrial)	
Microwave Fixed Radio Services)	
)	
Amendment of Part 21 of the)	CC Docket No. 93-2
Commission's Rules for the Domestic)	
Public Fixed Radio Services)	
)	
McCaw Cellular Communications, Inc.)	RM-7861
Petition for Rulemaking)	
)	
Amendment of Part 101 of the)	WT Docket No. 00-19
Commission's Rules to Streamline)	
Processing of Microwave Applications)	
in the Wireless Telecommunications)	
Services)	
)	
Telecommunications Industry Association)	RM-9418
Petition for Rulemaking)	

To: The Commission

**COMMENTS OF
THE CALIFORNIA PUBLIC-SAFETY RADIO ASSOCIATION (CPRA),
A CHAPTER OF
THE ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS –
INTERNATIONAL (APCO)**

I. Background

The California Public-Safety Radio Association (“CPRA”), a chapter of the Association of Public-Safety Communications Officials – International (“APCO”), represents the regulatory interests of licensees in the Public Safety Service from the ten counties of Southern California.

This vast region, stretching from San Luis Obispo County to the international border with Mexico, and from the Channel Islands to the Colorado River, is heavily dependent on microwave installations to facilitate voice, data and video transmission over terrain as varied as mountain peaks towering more than 11,000 feet above sea level, to vast desert expanses such as Death Valley, the Salton Sea, and the 1.5 million acre Mojave National Preserve. It is an area where reliability and redundancy are primary considerations in system design and configuration, as evidenced by the superior survivability of microwave installations in the wake of such seismic events as the Northridge, Sylmar, Landers, Whittier and Hector Mine earthquakes. The estimated 20 million people who call Southern California “home”—60% of all Californians--have come to expect Public Safety communications systems which can and will withstand the rigors of extreme weather, raging fires or major earthquakes.

II. Spectrum Auctions and Alternatives

In this proceeding, the Commission ponders a number of Rules changes which would impact future microwave spectrum allocations. It raises the specter of auctions, geographic licensing and relocation.

While recognizing that Congress has wisely exempted the Public Safety Service from the auction process, the Notice of Proposed Rulemaking does not indicate how the Commission would accommodate the needs of Public Safety to expand and improve existing microwave systems. More spectrum is desperately needed, and it was almost five years ago that the comprehensive report of the Public Safety Wireless Advisory Committee (PSWAC) concluded that an additional 161 MHz of microwave spectrum is required for Public Safety in the Los Angeles metropolitan area alone.

Local Government in Southern California makes significant use of both fiber optic cabling and wireline communications in the course of daily affairs. Indeed, our local telephone systems are almost completely dependent on such connections. However, experience has shown cable and wire to be far less reliable than microwave, and for that reason almost all wide area networks rely on microwave, which forms the backbone of our emergency communications systems.

Under the geographic licensing proposed, Public Safety would be required to pay local tax dollars to a successful bidder for any needed spectrum. This could very well result in the need to increase property taxes and generate significant public opposition. Public Safety would find itself caught in the middle between taxpayers and geographic spectrum licensees.

Band sharing is proposed in the context of maximizing spectrum efficiency, but as we are currently witnessing in the quest for law enforcement airborne video, sharing spectrum with commercial interests or the Amateur Radio Service is not an appropriate or viable solution. Dedicated spectrum must be allocated for Public Safety's airborne video operations.

Public Safety is not a stranger to relocation, and in the recent past endured forced moves due to the Direct Broadcast Service (DBS) and Personal Communications Service (PCS) rulemakings. These actions further depleted the available reserve of microwave spectrum. When Public Safety is subjected to such relocation, it is imperative that the new spectrum be adequately sized to accommodate growth, and all applicable costs of the move must be borne by the new licensee. Only in this manner can the public's assets be protected and assured.

Summary

Microwave paths are the backbone for Public Safety applications throughout Southern California's ten counties; paths for which no reasonable or acceptable substitutes exist. In the very near future, additional microwave allocations will be required to support the 24MHz of Public Safety spectrum awarded as part of the PSWAC proceeding, as well as wireless transmission of fingerprints and mugshots. Public Safety's need to accommodate growth and change are never ending, and it is a key role of the Federal Communications Commission to keep abreast of or ahead of that need.

CPRA appreciates the difficult task faced by the Commission in making precious spectrum available for new services, many of which may ultimately be of significant benefit to Public Safety. The will of Congress to use spectrum as a revenue source has created a new and unique paradigm in which Public Safety finds it necessary to double its efforts to protect existing allocations while pursuing the resources and rulemakings necessary for continued growth. CPRA asks that the Commission remain ever mindful of Public Safety's role in modern society and enact Rules consistent with our commitment to preserve life and property.

Respectfully submitted,

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