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December 1, 2000

FCC MAIL ROOM

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

EX PARTE OR LATE FILED

Re: Ex Parte Notice, Docket WT 96-86 /

Dear Ms. Salas:

On November 28, 2000 the undersigned met with Commissioner Harold Furchtgott-Roth and his Legal Advisor, Bryan Tramont, to discuss issues currently being considered in the above referenced proceeding.

On November 29, 2000 the undersigned and Mr. Ralph Haller of Fox Ridge Communications met with Mark D. Schneider, Senior Legal Advisor to Commissioner Ness; Adam S. Krinsky, Legal Advisor to Commissioner Tristani; Peter A. Tenhula, Legal Advisor to Commissioner Powell; Clint E. Odom, Legal Advisor to Chairman Kennard; Kathleen O'Brien Ham, Deputy Chief of the Wireless Telecommunications Bureau; and Mark Rubin and Michael J. Wilhelm, both from the Wireless Telecommunications Bureau; in a series of meetings to discuss the same issues previously discussed with Commissioner Furchtgott-Roth and his Legal Advisor.

Attached is a sheet outlining the specifics of the discussions with the above noted FCC personnel.

If there are any questions, please do not hesitate to contact me. I can be reached at (804) 385-2465.

Sincerely,



Robert J. Spidel, Esq.  
Manager, Regulatory Policy

Attachment

- cc: WT 96-86  
Commissioner Furchtgott-Roth  
Bryan Tramont  
Mark D. Schneider  
Kathleen O'Brien Ham  
Michael J. Wilhelm  
Mark Rubim  
Adam S. Krinsky  
Peter A. Tenhula  
Clint E. Odom

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Notes for Meetings with Commissioners, Staffs and WTB  
November 28 and 29, 2000

- A. The Project 25, Phase 1, conventional Common Air Interface (CAI) is the best current choice for the narrowband voice interoperability standard.
1. Direct Unit to Unit communications requires some sort of standardization.
  2. Project 25, Phase 1 CAI, although a 12.5 kHz technology provides adequate efficiency to satisfy the direct unit to unit interoperability needs within the 32 channel pairs provided, for a long, long time.
  3. Migration to some more efficient technology at sometime in the near or distant future may negate any direct unit to unit interoperability achieved through the use of the Project 25, Phase 1 conventional CAI.
  4. Is there, or will there be, any real need for greater than 12.5 kHz efficiency in the narrowband voice interoperability channels?

**The Project 25, Phase 1 conventional CAI should be the narrowband voice interoperability standard now and most likely for a long, long time to come.**

- B. The need for spectrum efficiency in voice communications will be driven by the General Use and State set aside portions of the 700 MHz public safety spectrum. The need for the best spectrum efficiency in the General Use and State set aside portions is now and not some time in the future.
1. The spectrum needs identified by the Public Safety Wireless Advisory Committee were predicated on a spectrum efficiency at least as good as 6.25 kHz. (i.e. one voice path per 6.25 kHz of occupied bandwidth.
  2. 700 MHz equipment is not available today and all of the manufacturers have stated to the National Coordination Committee that equipment will not be available until 24 to 36 months after the rules are finalized.
  3. Actual utilization of the 700 MHz public safety spectrum will most likely not occur until a time consistent with the effectivity date of the second set of efficiency rules from the Refarming proceeding.
  4. Neither voluntary nor mandated migration has proven to be highly effective methods for increasing efficient utilization of spectrum.
  5. Demanding higher spectrum efficiency is technology neutral and will increase competition in the public safety radio market.
  6. Special circumstances should be addressed in the waiver process rather than compromising the general requirements.

**The Commission should seriously consider defining an adequate and complete spectrum efficiency requirement applicable from the very beginning of 700 MHz public safety spectrum use**