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January 5, 2001

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

VIA COURIER

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Ex Parte Communication in WT Docket 96-86

Dear Ms. Salas:

This is to inform the Commission that representatives of the International Association of Chiefs of Police ("IACP") and the Association of Public-Safety Communications Officials-International, Inc. ("APCO") met yesterday with the following Commission personnel regarding the above-referenced proceeding:

Commissioner Furchtgott-Roth and his advisor, Bryan Tramont
Clint Odom, advisor to Chairman Kennard
Mark Schneider, advisor to Commissioner Ness
Adam Krinsky, advisor to Commissioner Tristani
Peter Tenhula, advisor to Commissioner Powell
Thomas Sugrue, Chief, Wireless Telecommunications Bureau
Jeanne Kowalski, Public Safety & Private Wireless Division
Mark Rubin, Wireless Telecommunications Bureau

Enclosed herewith are two copies of an outline of our presentation, which was provided to each of the individuals listed above.

Ms. Magalie Roman Salas
January 5, 2001
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Please contact the undersigned should the Commission have any questions.

Respectfully submitted,



Robert M. Gurss
Counsel for APCO

Enclosures

cc: Bryan Tramont
Clint Odom
Mark Schneider
Adam Krinsky
Peter Tenhula
Thomas Sugrue
Jeanne Kowalski
Mark Rubin
Lyle Gallagher
Glen Nash
Vinnie Stile
Harlan McEwen

FCC MUST TAKE THE FOLLOWING ACTION NOW TO PROVIDE PUBLIC SAFETY USERS AND EQUIPMENT VENDORS NECESSARY ASSURANCES TO PROCEED WITH 700 MHz IMPLEMENTATION:

Interoperability Channels

- Adopt Project 25 Phase I (12.5 kHz) Standard as recommended by NCC, as it will provide long-term interoperability between incompatible technologies (both 12.5 and 6.25 kHz), while allowing 700 MHz implementation to move forward now.

General Use And State Channels

- Allow 12.5 kHz or 6.25 kHz (*i.e.*, continue current rule that allows 12.5 kHz with 9.6 kbps).
- State that any required migration to 6.25 kHz will not begin for new public safety systems until the actual DTV transition occurs. DTV transition is a logical benchmark as it will open the door for nationwide implementation of the 700 MHz band.
- Clarify that 12.5 kHz systems installed between now and 6.25 kHz conversion date will be permitted to continue operation through a normal equipment life cycle.
- Reject suggestions for immediate 6.25 kHz requirement.
 - Would effectively limit users to TETRA, which is not a viable option for many public safety users.
 - Battery issues
 - Lack of unit-to-unit and unit-to-multi-unit capability
 - Additional infrastructure requirements.
 - Allowing 12.5 kHz will not prevent implementation of 6.25 kHz TETRA systems.

PUBLIC SAFETY AGENCIES ARE READY TO MOVE FORWARD

- Public safety agencies in areas not encumbered by television stations can proceed once equipment is available.
- In some instances, agencies will be combining currently licensed 800 MHz systems with 700 MHz (at least one manufacturer is planning to offer 700/800 MHz radio equipment within 1 year of FCC action on standard).
- Other agencies are moving forward on 700 MHz new system design and plans for construction to begin as early as this year. (*see* December 22, 2000 letter from State of New York, and Houston Fire Department comments).
- New State licenses will speed ability to implement once equipment is available.