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May 7, 2001

Maglie Roman Salas  
Secretary  
Federal Communications Commission  
445 Twelfth St., S.W.  
Washington, D.C. 20554

Re: **Biennial Regulatory Review – 47 C.F.R.  
Part 90 – Private Land Mobile Radio Service  
WT Docket No. 98-182** /

Dear Ms. Salas:

I am writing on behalf of the American Automobile Association ("AAA") to notify you of an ex parte meeting regarding the above-captioned proceeding on Friday, May 4, 2001 with D'wana Terry, Chief of the Public Safety and Private Wireless Division ("Division") of the Wireless Telecommunications Bureau and three Division staff members: Peter Daronco, Brian Marenco, and Guy Benson. AAA representatives at the meeting included Kathleen Marvaso, Managing Director of Government Relations; Gary Ruark, Manager, ERS Network Communications; and me, counsel to AAA.

The meeting covered the dockside channel issues addressed in the attached handout. AAA stressed that its overriding concern regarding the potential high-power use of eight of the dockside channels is to protect existing Auto Emergency Radio Service ("AERS") channels, which can be paired with these eight dockside channels, as well as low-power incumbents from interference. (See Supplemental Comments of AAA, August 26, 1999, WT Docket No. 98-182, citing extensive record evidence of past interference problems experienced by AAA and its clubs from inappropriate assignments of the eight dockside channels.) Indeed, AAA reaffirmed that it has no interest in monopolizing frequency coordination for the eight dockside channels or any other channels, noting that it only coordinates about 120 frequency assignments per year, compared to thousands by the major frequency coordinators.

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In addition, AAA restated that designating AAA as the sole or primary frequency coordinator would offer the greatest protection to stranded motorists relying upon auto emergency road services as well as low-power dockside channel incumbents. Nevertheless, AAA addressed other mechanisms that could provide an appropriate measure of interference protection while enabling other frequency coordinators to coordinate high-power use of the eight dockside channels at issue. Specifically, AAA stressed the importance of sound engineering analysis using existing frequency coordination tools to determine possible interference (rather than reliance upon standard mileage separation or contour overlap principles), and the need for obtaining express written consent or concurrence from the AERS frequency coordinator before any of the eight dockside channel frequencies would be assigned for high-power use. AAA also noted that it rarely, if ever, has denied consent to other frequency coordinators seeking assignment of AERS channels, and that it seeks to maximize the efficient use of private radio spectrum for all users consistent with sound engineering analysis.

Finally, AAA clarified that its proposal for high-power use of the eight dockside channels that could be paired with AERS channels would not include any channels that are part of the Land Mobile Communications Council's low-power pool proposal.

If you have any questions, please contact me.

Respectfully submitted,



Michele C. Farquhar  
Counsel for American Automobile  
Association

Enclosure

cc: D'wana Terry  
Peter Daronco  
Brian Marenco  
Guy Benson

**AAA UPDATE ON DOCKSIDE CHANNEL FNPRM**  
***Biennial Regulatory Review Proceeding, WT Docket No. 98-182***

**Background:**

AERS channels were never paired, unlike most other UHF band channels assigned to the different private radio services, thereby preventing AAA from using "repeaters" to expand signal coverage areas and to overcome obstacles. AERS channels would have been paired with the eight dockside channels identified in AAA's filings.

AAA asked the FCC for: (1) high power use of the eight dockside channels that could be paired with AERS channels; and (2) designation of AAA as the sole frequency coordinator for these channels.

**Public Interest Benefits of AAA's Position:**

More Efficient AERS Spectrum Use -- Eliminating the power restriction would facilitate use of repeaters -- enabling expanded coverage areas and more efficient use of existing frequencies -- providing substantial public benefits to AAA's clubs and their members. Several AAA clubs have filed separate comments supporting this proposal, noting the specific advantages in providing emergency road service to members in their areas.

Protection of Existing AERS Channels -- If the low power restriction is lifted, then AAA should coordinate the eight channels to protect low power incumbents and to prevent interference on the corresponding AERS frequencies. Many technical and interference problems could result from repeater-mobile unit communications on these channels, with the potential for delaying AAA emergency road service dispatching. The FCC has already determined that the AERS frequencies merit special frequency coordination treatment because of their critical public safety role. *Therefore, AAA urges the FCC to retain the low power restriction on these eight channels unless it also provides a mechanism to protect the paired AERS channels from potential interference.*

General Benefits -- AAA's proposal is narrowly tailored and limited to just eight of the 30 dockside channels; it is not a broad effort to gain additional spectrum or to monopolize frequency coordination rights. Indeed, all Industrial/Business Pool users can benefit from AAA's proposal and the expanded ability to use and pair the eight dockside channels (AAA will merely ensure that there is no interference to its safety-critical operations).

**Response to Opposition Arguments:**

Overall -- MRFAC and PCIA have made broad policy arguments directed towards competition among frequency coordinators without directly responding to AAA's specific interference concerns.

AAA is not trying to monopolize frequency coordination on the dockside channels or on any other channels. Instead, AAA's objective is to protect its few AERS channels from interference in order to bring fast and efficient emergency road service to its members.

Contrary to MRFAC's assertions, these eight dockside channels differ from the many "shared" frequencies that the LMCC had addressed in its recent refarming proposal; these dockside channels have not been available for high power use in the past and there is no history of shared coordination at the higher power level. The opponents' frequency coordination suggestions will not work well in practice and do not adequately protect the AERS frequencies.

In addition, as the primary frequency coordinator, AAA can monitor for interference to existing low power users and prevent the interference concerns raised by PCIA.