April 26, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W., Room 8-B201
Washington, D.C. 20554

Re: Delay of Auction Nos. 31 and 44 Scheduled for June 19, 2002
WT Docket No. 99-168, GN Docket No. 01-74

Dear Mr. Chairman:

The Coalition for Constructive Public Safety Interference Solutions ("Coalition") is comprised of organizations which collectively represent the interests of both small and large commercial mobile radio service providers, manufacturing, and Private Radio enterprises in spectrum-related matters before the FCC. The Coalition submits this letter in support of CTIA's request, filed April 24, 2002, seeking full Commission review of its request to delay the 700 MHz auctions-- **Auction Nos. 31 and 44**.

As you are aware, the Commission is currently undertaking a rulemaking proceeding that has as its primary goal improving Public Safety communications in the 800 MHz band and eliminating the interference currently being experienced by some Public Safety entities. A number of proposals currently under discussion involve re-tuning or re-banding the 800 MHz spectrum. The Coalition notes that while these proposals would help mitigate some interference to Public Safety, none of them would eliminate the interference. As such, the Coalition has developed a plan that would relocate Public Safety from the 800 MHz band to the 700 MHz band and reallocate some 700 MHz spectrum currently specified for commercial usage to Public Safety (but excluding the guard bands which have already been auctioned). In addition to solving interference to Public Safety and providing Public Safety with more spectrum than it currently has, the plan also provides options for Homeland Security uses not available under other proposals. The general overview of this plan is attached.

The Coalition acknowledges that any relocation of public safety to the 700 MHz band designated for commercial use will require legislative action. While it is premature to assume that the necessary statutory changes will be enacted into law, it is equally premature to eliminate the Coalition's proposal from consideration by going forward with the auctions on the scheduled date. A delay in the auction would allow this proposal to be discussed thoroughly with Congress and the Administration as well as other interested parties, enabling a spectrum management policy that is focused on long-term public interest and Public Safety needs.

In view of the above, the Coalition respectfully requests that the Commission delay the start of Auction Nos. 31 and 44 beyond the currently scheduled date of June 19, 2002.

Sincerely,

/s

/s/

Terry Addington
President & CEO
FIRSTCellular
417 S. 42nd Street
Mt. Vernon, IL 62864

/s/

Leo R. Fitzsimon
Director, Regulatory & Industry Affairs
Nokia Inc.
1101 Connecticut Avenue, NW
Suite 910
Washington, DC 20036

/s/

Douglas I. Brandon
V.P., External Affairs & Law
AT&T Wireless
1150 Connecticut Avenue, NW
4th Floor
Washington, DC 20036

/s/

Michael Rosenthal
Director, Regulatory Affairs
Southern LINC
5555 Glenridge Connector
Suite 500
Atlanta, GA 30341

/s/

Brian F. Fontes
V.P., Federal Relations
Cingular Wireless
1818 N Street, NW
Suite 800
Washington, DC 20036

/s/

Glenn Rabin
V.P., Federal Regulatory Affairs
Alltel Corporation
601 Pennsylvania Avenue, NW
Suite 720
Washington, DC 20004

Attachment

A Concept Paper to Address Public Safety Interference in the 800 MHz Band

Relocate Public Safety to Upper 700 MHz Band

- Give all of the upper 700 MHz band (channels 60-69) to Public Safety (includes Public Safety and commercial wireless spectrum ⇨ 54 MHz).
- Some spectrum can be used for Homeland Security, PAS and/or critical infrastructure.
- Move 800 MHz Public Safety to 700 MHz
- Auction vacated 800 MHz Public Safety spectrum.
- Use auction revenues to help relocate Public Safety to 700 MHz.
- Broadcasters must exit upper 700 MHz band by 12/31/06 or sooner.

Major Advantages Over Nextel Proposal

- **Resolves** interference issues with public safety.
- Increases Public Safety spectrum from current 33.5 MHz to 54 MHz (Nextel proposal would increase Public Safety spectrum to 44 MHz); coincidental switch to digital technology, such as APCO 25, will further increase effective spectrum capacity and services.
- 800 MHz commercial incumbents could gain access to additional spectrum through auction.
- Auction revenues goes toward helping relocate Public Safety.

Benefits to Public Safety

- **Resolves** interference issues.
- Gain access to 30 MHz of additional spectrum nationwide (20.5 MHz net).
- Date certain for access to 700 MHz band.
- Auction proceeds helps pay for relocation and upgrades.
- Facilitates Public Safety interoperability, priority access services and other Homeland Security needs.

Benefits to B/ILT, SMR, Energy, Water and Railroad Spectrum Licensees

- No licensee relocation or associated relocation costs.
- Ability to participate in auction. Gain access to additional spectrum contiguous to current licenses.

Benefits to Nextel

- **Eliminates** interference with public safety.
- Reduces relocation costs.
- Can participate in auction gaining access to additional spectrum.

Benefits to CMRS (Cellular) Licensees

- Can participate in the auction to gain access to additional spectrum contiguous to current cellular licenses.

Proposal

- Step One - Postpone 700 MHz auction while proposal is being examined as part of the NPRM related to Public Safety Interference.

Proposal

- Step two - develop legislation to:
  - Delay the 700 MHz auction, consistent with President Bush's FY '03 budget.
  - Allocate entire upper 700 MHz band to Public Safety with the exception of the guard bands.
  - Re-allocate 800 MHz band vacated by Public Safety and set it for auction.
  - Target revenues from auction for relocating Public Safety to 700 MHz.
  - Explore alternative funding arrangements for Public Safety's telecommunications needs today and into the future.
  - Set a definitive timeframe for broadcasters to vacate upper 700 MHz band - **12/31/06 or sooner.**

Comparison to Nextel Proposal

Nextel Proposal	Alternative Proposal
• Does not resolve interference issue	• Resolves interference issues
• Significant relocation costs for Public Safety, B/ILT, and SMR licensees	• Auction Revenues help pay for relocation costs of Public Safety
• Long time frame for implementation	• Shorter time-frame for implementation
• Public Safety gets 10 MHz additional spectrum	• Public Safety gets 20.5 MHz additional spectrum
• Does not facilitate Homeland Security, Public Safety interoperability, or PAS.	• Facilitates Homeland Security, Public Safety interoperability and PAS.
• Spectrum Windfall for Nextel	• No spectrum windfall for 800 MHz incumbents