

BENJAMIN J. CAYETANO
GOVERNOR

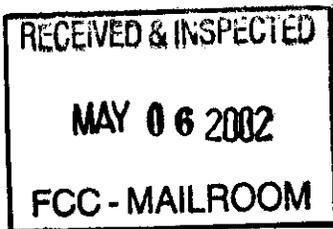


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GLENN M. OKIMOTO
Comptroller

MARY ALICE EVANS
Deputy Comptroller

ICSD 02.0040



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

May 1, 2002

Mr. William F. Caton
Office of the Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

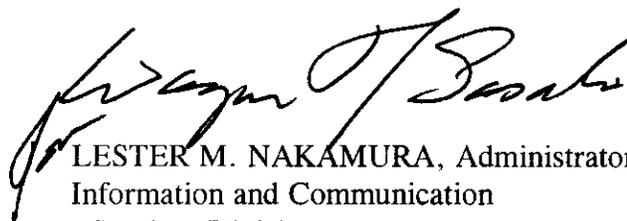
Dear Mr. Caton:

Subject: FCC WT Docket No. 02-55
Improving Public Safety Communications in the 800 MHz Band
Consolidating the 900 MHz Industrial/Land Transportation Business Pool Channels

Enclosed please find one original and nine copies of this letter and the State of Hawaii,
Department of Accounting and General Services, Information and Communication Services
Division (ICSD) response to FCC Wireless Telecommunications Bureau Docket No. 02-55.

Please refer any questions to Mr. Robert J. Hlivak of the ICSD Wireless Systems Management
Section. He can be reached at (808) 586-1930, extension 013.

Sincerely,



LESTER M. NAKAMURA, Administrator
Information and Communication
Services Division

Attachment

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To: The Commission

In the Matter of

Improving Public Safety Communication Communications in the 800 MHz Band

Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels

Comments: State of Hawaii ICS Division

The State of Hawaii, Department of Accounting and General Services (DAGS), Information and Communication Services Division (ICSD) considers that it would be against the public interest to adopt any plan to reconfigure the 800 MHz frequency band that would cause the rechannalization of existing public safety radio systems.

The ICSD requests that the Commission “move swiftly” to suspend the pending Auction 31 of 746 MHz – 794 Mhz frequencies in order to provide bandwidth to allow a workable rechannalization plan to be developed for all users. Essential band space will be lost on July 19, 2002 if Auction 31 is allowed to proceed. The ICSD recommends that a single plan be developed for the use of spectrum between 746 MHz and 894 MHz.

The ICSD rejects outright the suggestion that \$500 million represents a significant portion of the expenses necessary to relocate the current 1320 public safety and NPSPAC licensees that use the 800 MHz band. A consideration of the cost, complexity, and liability associated with any relocation of public safety communications systems indicates that the most prudent option is for existing public safety systems not to move.

If changes are forced upon public safety communications systems, the public safety system operator must be held harmless and be reimbursed in full for all costs incurred without being subject to an individual or aggregate cost ceiling. Cost and liability should be borne by the commercial entities that benefit from the change.

Immediate steps must be taken to eliminate interference to public safety communications systems that is now occurring. All non public safety licensees should be required to provide detailed notification in advance of all changes to existing emitters and/or addition of sites or channels in their system to operators of public safety systems located nearby. A voluntary dispute resolution mechanism should be implemented and have as it's last resort the imposition of substantial fines and/or cease operation in accordance with Section 90.173(b) of the Commission Rules. The Commission should consider adopting a “zero tolerance” approach regarding interference to public safety communications.

The ICSD asks the Commission to consider the “Hawaii Alternative for 746 MHz to 894 MHz Spectrum Reallocation” attached as Appendix A. The suggested Hawaii alternative

starts with the relocation of next generation cellular services to the "upper" 700 MHz band. Even with the retention of some of the original cellular frequencies to support legacy or difficult to move cellular systems, the Hawaii alternative provides for enough band space to relocate the as yet unimplemented "Public Safety 700 MHz" band to 824/869 MHz. The Hawaii alternative also proposes the allocation of 5 MHz of paired spectrum for use by federal government public safety entities to enhance interoperability and respond to the increased need for communications in support of homeland security efforts. The Hawaii alternative does not require existing public safety, public safety NPSPAC, or non-Motorola iDEN based Business Radio and Industrial/Land Transportation Radio (BI/LT) systems to move which results in substantial savings when compared with other plans..

In order to implement the Hawaii alternative, the Commission has to take proactive and certain action to ensure that the upper 700 MHz band is clear of television broadcasters. In order to encourage the relocation of the traditional cellular carriers to the upper 700 MHz band, the Commission should initially provide the new spectrum at zero cost if the incumbents clear their 800 MHz allocations in a timely manner. As an incentive for the incumbent carriers to move quickly, the Commission should impose a rapidly escalating fee only if the incumbents do not relocate within specified deadlines.

The Hawaii alternative suggests a similar approach to relocating the interference causing Motorola iDEN systems operated by Nextel and others. These systems should be provided replacement spectrum in the 1990/2165 MHz band at zero cost provided they clear their 800 MHz allocations in a timely manner. Again, as an incentive for the incumbents to quickly relocate, the Commission should impose a rapidly escalating fee only if the incumbents do not relocate within specified deadlines. The Hawaii alternative does not provide for any additional spectrum for Motorola iDEN or other similar digital systems within the 746 MHz to 894 MHz spectrum.

The ICSD recommends that recovered 800 MHz spectrum be resold to entities that are in the original traditional BI/LT licensees with an emphasis on providing more spectrum to those entities involved with critical infrastructure. Furthermore, in response to homeland security concerns, the ICSD recommends that some recovered channels be set aside for use as mutual aid channels for communication between BI/LT and public safety radio systems.

Finally, the ICSD opposes the establishment of a "Public Safety Realignment Frequency Coordinator," commonly referred to as a "super coordinator." The ICSD supports the continued use of existing coordinators.

The ICSD is a component of the State of Hawaii, Department of Accounting and General Services. The ICSD owns and operates the Hawaii State Government telecommunications systems and supporting infrastructure. The ICSD is the licensee of record for nearly all State government radio systems. The Local Area Advisor for APCO is an ICSD employee. The Administrator of the ICSD also serves as the chairman of the NPSPAC Region 11 committee.

Thank you for the opportunity to comment on this matter.

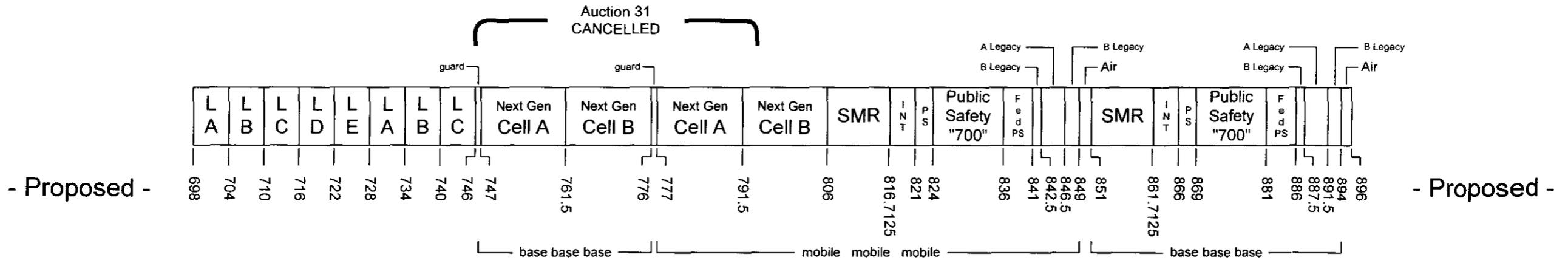
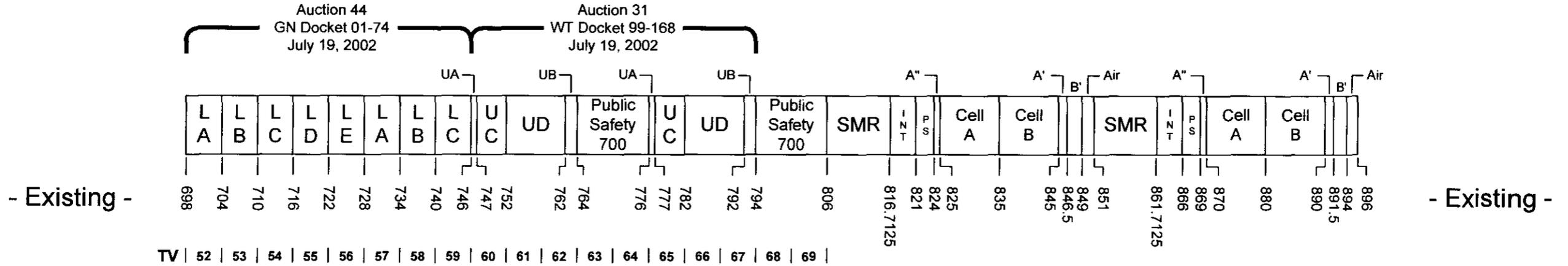
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lester M. Nakamura". The signature is written in a cursive style and is positioned above the printed name.

LESTER M. NAKAMURA, Administrator
Information and Communication
Services Division

APPENDIX 1
Hawaii Alternative for 746 MHz to 894 MHz Spectrum Reallocation
1 May 2002

<u>Frequency Range</u> MHz	<u>User</u>
746-747	guard band for Commission to determine use
747-761.5	base Cellular A – next generation
761.5-776	base Cellular B – next generation
776-777	guard band for Commission to determine use
777-791.5	mobile Cellular A – next generation
791.5-806	mobile Cellular B – next generation
806-816.7125	mobile SMR (non-iDEN)
816.7125-821	mobile Interleaved (non-iDEN)
821-824	mobile NPSPAC
824-836	mobile relocated Public Safety “700 MHz”
836-841	mobile new federal only public safety
841-842.5	mobile Cellular B – legacy systems
842.5-846.5	mobile Cellular A – legacy systems
846.5-849	mobile Cellular B – legacy systems
849-851	
851-861.7125	base SMR (non-iDEN)
861.7125-866	base Interleaved (non-iDEN)
866-869	base NPSPAC
869-881	base relocated Public Safety “700 MHz”
881-886	base new federal only public safety
886-887.5	base Cellular B – legacy systems
887.5-891.5	base Cellular A – legacy systems
891.5-894	base Cellular B – legacy systems
894-896	



**Hawaii Alternative for 746 MHz to 894 MHz Spectrum Reallocation
 1 May 2002**