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May 7, 2003

D'Wana Terry, Chief
Public Safety & Private Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20054

Re: WT Docket 02-285, *Ex Parte* Communication

Dear Ms. Terry:

The purpose of this letter is to follow up on our meeting on April 28, 2003, during which the undersigned, on behalf of the Association of Public-Safety Communications Officials-International, Inc. ("APCO"), along with APCO's President, Vincent Stile, and Martin W. Bercovici, Esquire, on behalf of the International Municipal Signal Association/International Association of Fire Chiefs ("IMSA/IAFC"), discussed the Joint Reply Comments filed in the above-referenced proceeding by APCO, IMSA/IAFC, the American Association of State Highway and Transportation Officials ("AASHTO") and the Forestry Conservation Communications Association ("FCCA"). The Joint Reply explains that the four public safety coordinators now agree that the Commission need not and should not alter the current frequency coordination rules for the VHF and UHF Public Safety Pool channels.

As we emphasized during our meeting, and as set forth in the Joint Reply, the public safety coordinators are also strongly opposed to suggestions that coordinators from the Industrial Business Pool be permitted to coordinate Public Safety Pool channels. The end users of Public Safety Pool channels are first responders to emergencies that threaten the safety of life, health, and property. Such public safety licensees are far less tolerant of interference problems than most Industrial Business licensees, and thus demand that coordination be performed by representatives that are concerned with protecting public safety, not with processing of as many applications, and earning as many coordination fees, as possible. APCO, AASHTO, IMSA/IAFC, and FCCA are uniquely representative of state and local government public safety licensees, and have as their primary responsibility the protection of the public safety communications systems operated by their members.

Furthermore, as we mentioned during our meeting, only public safety coordinators have the requisite skills and knowledge of public safety communications systems and operations to coordinate the already congested Public Safety Pool. Industrial Business Pool channels are typically coordinated based on little more than the raw parameters contained in the FCC's license

application form. In contrast, public safety coordinators consider the actual operations of the applicant and of other licensees in the area to determine if the proposed use is compatible, both in terms of interference avoidance and spectrum efficiency. Factors not available in the FCC's license data base, such as the jurisdictional boundaries of the applicant and existing licensees, the particular public safety nature of the proposed use, the actual number of proposed mobile/portable units, the anticipated volume of use (which is a function of the nature of use, not merely the number of units), local terrain, and proposed system design are all considered in selecting the most appropriate frequency. Technical criteria such as antenna patterns are also considered in many cases. Public safety coordinators use this information to reduce and hopefully eliminate the potential for harmful interference to public safety users. This more rigorous and applicant-specific coordination process also allows for frequencies to be assigned in a more efficient manner, a particularly important function in the crowded UHF and VHF Public Safety Pool spectrum. For example, knowing the actual operational area of an applicant might permit a public safety coordinator to assign frequencies with closer co-channels and adjacent-channels than would otherwise be the case.

The public safety coordinators are also uniquely aware of state and local public safety frequency plans for UHF and VHF operations, none of which are included in Commission data bases. This includes local mutual aid plans and state-wide mobile/portable-only assignments (*e.g.*, state wide channels used for forest fire management). The public safety coordinators utilize this specialized knowledge of state and local frequency plans to recommend frequency assignments that will avoid interference to critical public safety communications operations.

Finally, the new cross-coordination arrangement described in the Joint Reply will provide public safety applicants and coordinators the ability to predict total coordination fees with much greater accuracy. That, in turn, will promote competition by allowing applicants to select coordinators based at least in part upon anticipated fees. Thus, there is competition in the Public Safety Pool today, without the negative consequences of introducing Industrial Business Pool coordinators.

Please contact the undersigned, or Mr. Bercovici, should the Commission have any questions or need additional information. A copy of this letter will be filed with the Secretary.

Respectfully submitted,



Robert M. Gurss