

August 18, 2004

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, DC 20554

Re: *WT Docket No. 02-8*

Dear Ms. Dortch:

This letter is filed on behalf of the American Society for Health Care Engineering of the American Hospital Association (“ASHE”), the designated frequency data base manager for the Wireless Medical Telemetry Service (“WMTS”).<sup>1</sup> ASHE has been authorized to state that the Land Mobile Communications Council (“LMCC”), the umbrella organization of Part 90 frequency coordinators concurs, in this filing.

ASHE timely filed a Petition for Reconsideration in the above-referenced rulemaking proceeding seeking, *inter alia*, reconsideration of Section 95.1113(b)(5) of the Commission’s rules. That rule was developed in order to give Part 90 licensees in the 1427-1432 MHz band notice of the activation of new WMTS operations so that existing Part 90 licensees can ensure their compliance with the field strength limit of Section 90.259(b)(11), which is designed to be measured at all WMTS sites that might be affected in order to avoid harmful interference to WMTS operations from Part 90 licensees.

In its *Memorandum Opinion and Order*<sup>2</sup> issued August 19, 2003, the Commission responded to the ASHE Petition by stating:

In light of ASHE’s concerns regarding our recommended coordination procedures and in furtherance of our continuing efforts to ensure protection of WMTS operations from harmful interference, we believe it would be in the public interest to provide ASHE and LMCC with the opportunity to formulate a mutually agreeable coordination plan. Therefore, within one year of the release date of this

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<sup>1</sup> ASHE was designated the WMTS frequency data base manager in 2001. *Amendment of Parts 2 and 95 of the Commission’s Rules to Create a Wireless Medical Telemetry Service*, 16 FCC Rcd 4543 (2001).

<sup>2</sup> *Amendment to Parts 1, 2, 27 and 90 of the Commission’s Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz and 2385 - 2390 MHz Government Transfer Bands*, 18 FCC Rcd 16920 (2003) (the “MO&O”).

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*Memorandum Opinion and Order*, we request that ASHE and LMCC file a joint coordination plan.<sup>3</sup>

Representatives of ASHE and LMCC have spent many months formulating a mutually agreeable coordination plan that takes into consideration the concerns voiced by ASHE in the Petition, while also minimizing the burden on land mobile frequency coordinators. The plan they have developed is presented for the Commission's review as Attachment A to this letter. ASHE and LMCC urge the Commission to approve the coordination plan and further to amend its rules, *sua sponte*, by making the rule changes identified in Attachments B and C to this letter.<sup>4</sup> Because the proposed rule changes are fully consistent with the action dictated by the Commission in the MO&O, and since no party filed any further reconsideration of the Commission's decision to direct this matter to the voluntary and mutual negotiation of the affected frequency coordinators/database managers, no further notice or opportunity for comment is required for the Commission to adopt these administrative changes.

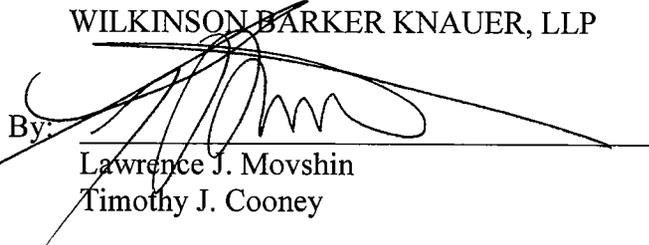
Finally, because ASHE anticipates that WMTS locations operating in the 1.4 GHz band will be registered with ASHE and initiate operations in the very near future, even as the 1.4 GHz band becomes populated with Part 90 licensees, ASHE and LMCC request that the Commission waive Section 95.1113(b)(5) of its existing rules to allow ASHE and LMCC to utilize the mutually agreeable coordination plan appended as Attachment A until such time as amended rules become effective.

Please contact the undersigned attorneys for ASHE if you have any questions.

Respectfully submitted,

WILKINSON BARKER KNAUER, LLP

By:

  
Lawrence J. Movshin  
Timothy J. Cooney

cc: John Muleta, Chief, Wireless Telecommunications Bureau  
D'Wana Terry, Chief of Staff and Associate Bureau Chief, Wireless Telecommunications Bureau

<sup>3</sup> Id, at 16925-26.

<sup>4</sup> Attachment B is a clean copy of the proposed amended rules, while Attachment C is a "track changes" version highlighting the specific word changes proposed. In addition to the substantive changes ASHE and LMCC propose to Section 95.1113(b)(5), ASHE urges the Commission also to adopt non-substantive, clarifying, word changes to subsections 95.1113(b)(1) and (b)(6) and to Section 90.259(b)(4)(ii).

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Michael Wilhelm, Chief, Public Safety and Critical Infrastructure Division  
Scot Stone, Public Safety and Critical Infrastructure Division  
Herb Zeiler, Public Safety and Critical Infrastructure Division  
Keith Fickner, Wireless Telecommunications Bureau  
Brian Marengo, Wireless Telecommunications Bureau  
Tim Maguire, Wireless Telecommunications Bureau  
James Pakla, LMCC  
Don Vasek, ITA

**ATTACHMENT  
A**

# 1427-1432 MHz Frequency Coordination Plan

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ASHE and LMCC have created a frequency coordination plan that addresses the sharing of spectrum in the 1427-1432 MHz band. The plan details five potential sharing scenarios and defines steps necessary to avoid interference issues. The coordination and transfer of data occurs solely between ASHE and the LMCC frequency coordinators.

## Scenario 1: Co-channel frequencies - WMTS primary and Part 90 Telemetry primary at edges of swap areas

This scenario addresses potential interference that occurs when WMTS and Part 90 telemetry devices operate on the same frequencies near the edge of a swap area. For example, a WMTS device may be located in a hospital within a swap area and a Part 90 telemetry device may operate just outside that swap area but in close proximity to the hospital. In this case, there is a potential for interference between systems that must be assessed as follows.

**STEP 1:** If a Part 90 application is in a swap area or within 70 miles of the border of a swap area (see Exhibit A), LMCC Coordinators must conduct a search of the WMTS database prior to assigning a frequency in order to identify potentially affected WMTS deployments.

- LMCC Coordinators will each be assigned a login and password to log into [www.wmtssearch.com](http://www.wmtssearch.com)
- The search results, based on 70 mi search radius, will include the WMTS deployment data (facility name, facility address, facility county, coordinates, highest floor, manufacturer/model, power, installation date)
- Potentially affected WMTS deployments are defined as:
  - (a) A WMTS deployment located in a swap area and within 70 mi of a proposed Part 90 operation located outside the swap area
  - OR,
  - (b) A WMTS deployment operating in a county adjacent to a swap area and within 70 mi of a proposed Part 90 operation located inside the swap area

**STEP 2:** If the search results include a WMTS deployment in one of the counties listed in Exhibit A, LMCC Coordinators must perform an interference analysis to ensure no interference exists

**STEP 3:** LMCC Coordinators must communicate the interference analysis results to the WMTS coordinator via email

## Scenario 2: Co-channel frequencies - WMTS primary and Part 90 Telemetry secondary

This scenario addresses potential interference that occurs when a Part 90 telemetry device operates on the same frequency as a WMTS device but on a secondary basis. This scenario applies to Part 90 telemetry devices operating in the 1427-1429.5 MHz range when located outside of a swap area, or operating in the 1429-1431.5 MHz range when located within a swap area. In this case, Part 90 telemetry is prohibited from interfering with the primary operation of WMTS devices.

# 1427-1432 MHz Frequency Coordination Plan

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**STEP 1:** LMCC Coordinators must conduct a search of the WMTS database prior to assigning frequencies in order to identify potentially affected WMTS deployments within 70 mi of the proposed Part 90 telemetry operation

- LMCC Coordinators will each be assigned a login and password to log into [www.wmtssearch.com](http://www.wmtssearch.com)
- The search results, based on 70 mi search radius, will include the WMTS deployment data (facility name, facility address, facility county, coordinates, highest floor, manufacturer/model, power, installation date)

**STEP 2:** LMCC Coordinators must confirm compliance with field strength limitation of 150  $\mu\text{V}/\text{m}$  at the site of all current WMTS deployments

**STEP 3:** LMCC Coordinators must provide Part 90 telemetry data to WMTS Coordinator within 24 hours of assigning a frequency

- WMTS Coordinator will update the WMTS database with the Part 90 telemetry data
- Part 90 telemetry data will be provided in EBF format via FTP site
- Part 90 telemetry data will include only those applications and licenses operating in the 1427-1432 MHz range

**STEP 4:** If any new WMTS deployments are within 70 mi and could be affected by the existing secondary Part 90 telemetry license, WMTS Coordinator will notify LMCC coordinators

- WMTS data will be provided in EBF format via email
- WMTS notification email will indicate “Urgent – Response Required” in subject field

**STEP 5:** LMCC Coordinators must confirm compliance with field strength limitation of 150  $\mu\text{V}/\text{m}$  at the site of the new WMTS deployment

- Compliance must be confirmed via response email to WMTS Coordinator

## Scenario 3: Co-channel frequencies – WMTS secondary and Part 90 Telemetry primary

This scenario addresses potential interference that occurs when a WMTS device operates on the same frequency as a Part 90 telemetry device but on a secondary basis. This scenario applies to WMTS devices operating in the 1427-1429 MHz and 1431.5-1432 MHz ranges when located inside of a swap area. In this case, WMTS operations are prohibited from interfering with the primary operation of Part 90 telemetry devices.

WMTS Coordinator must provide WMTS data to LMCC coordinators within 24 hours of assigning a frequency

- WMTS data will be provided in EBF format via email

## Scenario 4: Adjacent frequencies – WMTS primary and Part 90 Telemetry primary

This scenario addresses potential interference that occurs when WMTS and Part 90 devices operate on nearby or adjacent frequencies, both on a primary basis. This scenario applies to WMTS devices operating in 1427-1429.5 MHz and Part 90 telemetry

## 1427-1432 MHz Frequency Coordination Plan

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operating in 1429.5-1432 MHz with both operations located outside of a swap area. It also applies to WMTS devices operating in 1429-1431.5 MHz, and Part 90 telemetry operating in 1427-1429 MHz and 1431.5-1432 MHz, with both operations located inside a swap area.

LMCC Coordinators must provide Part 90 telemetry data to WMTS Coordinator within 24 hours of assigning a frequency

- WMTS Coordinator will update the WMTS database with the Part 90 telemetry data
- Part 90 telemetry data will be provided in EBF format via FTP site
- Part 90 telemetry data will include only those applications and licenses operating in the 1427-1432 MHz range

### **Scenario 5: Adjacent frequencies - WMTS secondary and Part 90 Telemetry secondary**

This scenario addresses potential interference that occurs when WMTS and Part 90 devices operate on nearby or adjacent frequencies, both on a secondary basis. This scenario applies to WMTS devices operating in 1427-1429 MHz and 1431.5-1432 MHz, and Part 90 telemetry operating in 1429-1431.5 MHz, with both operations located inside a swap area.

LMCC Coordinators must provide Part 90 telemetry data to WMTS Coordinator within 24 hours of assigning a frequency

- WMTS Coordinator will update the WMTS database with the Part 90 telemetry data
- Part 90 telemetry data will be provided in EBF format via FTP site
- Part 90 telemetry data will include only those applications and licenses operating in the 1427-1432 MHz range

## Exhibit A

For the purpose of the 1427-1432 MHz Coordination Plan, some counties are defined as Primary (in a swap area) or Adjacent County (within 70 mi of the border of a swap area). The tables below list the counties for each classification.

AREA	PRIMARY COUNTIES
Pittsburgh, PA	Allegheny, Beaver, Butler, Washington, Westmoreland
Washington, DC	Arlington, Fairfax, Loudoun, Prince William, Montgomery, Charles, Prince George's, and Fauquier counties; cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park and the District of Columbia
Richmond - Norfolk, VA	Chesterfield, Goochland, Hanover, Henrico, Powhatan, Charles City, Dinwiddie, Isle of Wight, James City, New Kent, Prince George, Southhampton, Surrey, Sussex, and York counties; cities of Richmond, Norfolk, Newport News, Hampton, Virginia Beach, Chesapeake, Portsmouth, Suffolk, Colonial Heights, Franklin, Hopewell, Petersburg, Poquoson, and Williamsburg
Austin - Georgetown, TX	Williamson and Travis
Battle Creek, MI	Calhoun
Detroit, MI	Oakland, Wayne, Washtenaw, Macomb, Livingston
Spokane, WA	Spokane, WA and Kootenai, ID

Table 1: Primary Swap Area Counties

## Exhibit A

Pittsburgh, PA				Washington, DC				Richmond-Norfolk, VA			
Allegheny	MD	Mineral	WV	Kent	DE	King and Queen	VA	District of Columbia	DC	Greene	VA
Garrett	MD	Monongalia	WV	New Castle	DE	King George	VA	Calvert	MD	Greensville	VA
Washington	MD	Morgan	WV	Sussex	DE	King William	VA	Charles	MD	Halifax	VA
Chautauqua	NY	Ohio	WV	Allegheny	MD	Lancaster	VA	Dorchester	MD	Harrisonburg	VA
Ashtabula	OH	Pleasants	WV	Anne Arundel	MD	Louisa	VA	Prince George's	MD	King and Queen	VA
Belmont	OH	Preston	WV	Baltimore	MD	Madison	VA	Somerset	MD	King George	VA
Carroll	OH	Randolph	WV	Baltimore City	MD	Mathews	VA	St. Mary's	MD	King William	VA
Columbiana	OH	Ritchie	WV	Calvert	MD	Middlesex	VA	Beaufort	NC	Lancaster	VA
Geauga	OH	Taylor	WV	Caroline	MD	New Kent	VA	Bertie	NC	Loudoun	VA
Guernsey	OH	Tucker	WV	Carroll	MD	Northumberland	VA	Camden	NC	Louisa	VA
Harrison	OH	Tyler	WV	Cecil	MD	Orange	VA	Chowan	NC	Lunenburg	VA
Jefferson	OH	Upshur	WV	Dorchester	MD	Page	VA	Currituck	NC	Lynchburg	VA
Lake	OH	Wetzel	WV	Frederick	MD	Powhatan	VA	Dare	NC	Madison	VA
Mahoning	OH	Wood	WV	Harford	MD	Prince George	VA	Edgecombe	NC	Manassas	VA
Monroe	OH			Howard	MD	Rappahannock	VA	Franklin	NC	Manassas Park	VA
Noble	OH			Kent	MD	Richmond	VA	Gates	NC	Mathews	VA
Portage	OH			Queen Anne's	MD	Richmond City	VA	Granville	NC	Mecklenburg	VA
Stark	OH			Somerset	MD	Rockingham	VA	Greene	NC	Middlesex	VA
Summit	OH			St. Mary's	MD	Shenandoah	VA	Halifax	NC	Nelson	VA
Trumbull	OH			Talbot	MD	Spotsylvania	VA	Hertford	NC	Northampton	VA
Tuscarawas	OH			Washington	MD	Stafford	VA	Hyde	NC	Northumberland	VA
Washington	OH			Wicomico	MD	Warren	VA	Martin	NC	Nottoway	VA
Armstrong	PA			Adams	PA	Westmoreland	VA	Nash	NC	Orange	VA
Bedford	PA			Bedford	PA	Williamsburg	VA	Northampton	NC	Page	VA
Blair	PA			Chester	PA	Winchester	VA	Pasquotank	NC	Prince Edward	VA
Cambria	PA			Cumberland	PA	York	VA	Perquimans	NC	Prince William	VA
Centre	PA			Dauphin	PA	Berkeley	WV	Pitt	NC	Rappahannock	VA
Clarion	PA			Franklin	PA	Grant	WV	Tyrrell	NC	Richmond	VA
Clearfield	PA			Fulton	PA	Hampshire	WV	Vance	NC	Rockbridge	VA
Crawford	PA			Huntingdon	PA	Hardy	WV	Warren	NC	Rockingham	VA
Elk	PA			Juniata	PA	Jefferson	WV	Washington	NC	Shenandoah	VA
Erie	PA			Lancaster	PA	Mineral	WV	Wilson	NC	Spotsylvania	VA
Fayette	PA			Perry	PA	Morgan	WV	Accomack	VA	Stafford	VA
Forest	PA			York	PA	Pendleton	WV	Albemarle	VA	Staunton	VA
Fulton	PA			Accomack	VA			Alexandria	VA	Warren	VA
Greene	PA			Albemarle	VA			Amelia	VA	Waynesboro	VA
Huntingdon	PA			Amelia	VA			Amherst	VA	Westmoreland	VA
Indiana	PA			Augusta	VA			Appomattox	VA		
Jefferson	PA			Buckingham	VA			Arlington	VA		
Lawrence	PA			Caroline	VA			Augusta	VA		
McKean	PA			Charles City	VA			Brunswick	VA		
Mercer	PA			Charlottesville	VA			Buckingham	VA		
Somerset	PA			Chesterfield	VA			Campbell	VA		
Venango	PA			Clarke	VA			Caroline	VA		
Warren	PA			Culpeper	VA			Charlotte	VA		
Barbour	WV			Cumberland	VA			Charlottesville	VA		
Brooke	WV			Essex	VA			Culpeper	VA		
Doddridge	WV			Fluvanna	VA			Cumberland	VA		
Gilmer	WV			Frederick	VA			Emporia	VA		
Grant	WV			Fredericksburg	VA			Essex	VA		
Hampshire	WV			Gloucester	VA			Fairfax	VA		
Hancock	WV			Goochland	VA			Fairfax City	VA		
Hardy	WV			Greene	VA			Falls Church	VA		
Harrison	WV			Hanover	VA			Fauquier	VA		
Lewis	WV			Harrisonburg	VA			Fluvanna	VA		
Marion	WV			Henrico	VA			Fredericksburg	VA		
Marshall	WV			James City	VA			Gloucester	VA		

## Exhibit A

Austin-Georgetown, TX		Battle Creek, MI		Detroit, MI		Spokane, WA	
Austin	TX	Allen	IN	DeKalb	IN	Benewah	ID
Bandera	TX	DeKalb	IN	Steuben	IN	Bonner	ID
Bastrop	TX	Elkhart	IN	Barry	MI	Boundary	ID
Bell	TX	Kosciusko	IN	Bay	MI	Clearwater	ID
Bexar	TX	LaGrange	IN	Branch	MI	Kootenai	ID
Blanco	TX	Marshall	IN	Calhoun	MI	Latah	ID
Bosque	TX	Noble	IN	Clinton	MI	Lewis	ID
Brazos	TX	St. Joseph	IN	Eaton	MI	Nez Perce	ID
Burleson	TX	Steuben	IN	Genesee	MI	Shoshone	ID
Burnet	TX	Whitley	IN	Gratiot	MI	Lincoln	MT
Caldwell	TX	Allegan	MI	Hillsdale	MI	Mineral	MT
Colorado	TX	Barry	MI	Huron	MI	Sanders	MT
Comal	TX	Berrien	MI	Ingham	MI	Adams	WA
Comanche	TX	Branch	MI	Ionia	MI	Asotin	WA
Coryell	TX	Cass	MI	Isabella	MI	Columbia	WA
DeWitt	TX	Clinton	MI	Jackson	MI	Ferry	WA
Falls	TX	Eaton	MI	Lapeer	MI	Franklin	WA
Fayette	TX	Genesee	MI	Lenawee	MI	Garfield	WA
Gillespie	TX	Gratiot	MI	Midland	MI	Lincoln	WA
Gonzales	TX	Hillsdale	MI	Monroe	MI	Pend Oreille	WA
Grimes	TX	Ingham	MI	Montcalm	MI	Stevens	WA
Guadalupe	TX	Ionia	MI	Saginaw	MI	Walla Walla	WA
Hamilton	TX	Jackson	MI	Sanilac	MI	Whitman	WA
Hays	TX	Kalamazoo	MI	Shiawassee	MI	Benewah	ID
Hill	TX	Kent	MI	St. Clair	MI	Bonner	ID
Karnes	TX	Lenawee	MI	Tuscola	MI	Boundary	ID
Kendall	TX	Livingston	MI	Defiance	OH	Clearwater	ID
Kerr	TX	Monroe	MI	Erie	OH	Latah	ID
Lampasas	TX	Montcalm	MI	Fulton	OH	Lewis	ID
Lavaca	TX	Muskegon	MI	Hancock	OH	Nez Perce	ID
Lee	TX	Newaygo	MI	Henry	OH	Shoshone	ID
Limestone	TX	Ottawa	MI	Huron	OH	Lincoln	MT
Llano	TX	Saginaw	MI	Lucas	OH	Mineral	MT
Mason	TX	Shiawassee	MI	Ottawa	OH	Sanders	MT
McLennan	TX	St. Joseph	MI	Paulding	OH	Adams	WA
Medina	TX	Van Buren	MI	Putnam	OH	Asotin	WA
Milam	TX	Washtenaw	MI	Sandusky	OH	Columbia	WA
Mills	TX	Defiance	OH	Seneca	OH	Ferry	WA
Robertson	TX	Fulton	OH	Williams	OH	Franklin	WA
San Saba	TX	Henry	OH	Wood	OH	Garfield	WA
Washington	TX	Lucas	OH			Lincoln	WA
Wilson	TX	Paulding	OH			Pend Oreille	WA
		Putnam	OH			Spokane	WA
		Williams	OH			Stevens	WA
						Walla Walla	WA
						Whitman	WA

Table 2: Adjacent Swap Area Counties

**ATTACHMENT  
B**

**§95.1113 Frequency coordinator.**

- (a) The Commission will designate a frequency coordinator(s) to manage the usage of the frequency bands for the operation of medical telemetry devices.
- (b) The frequency coordinator shall
  - (1) Review and process registration requests submitted by authorized health care providers as required in §95.1111;
  - (2) Maintain a database of WMTS use;
  - (3) Notify users of potential conflicts; and
  - (4) Coordinate WMTS operation with radio astronomy observatories and Federal Government radar systems as specified in §§95.1119 and 95.1121.
  - (5) Upon receipt of a registration request for WMTS equipment operating in the 1427-1432 MHz band, notify all Part 90 frequency coordinators of the intended activation in accordance with the joint WMTS-Part 90 coordination plan filed in WT Docket 02-8 on August 18, 2004. The Part 90 frequency coordinators shall, in turn, determine potentially affected Part 90 licensees and notify those Part 90 licensees operating in the 1427-1432 MHz band in accordance with §90.259(b) of their obligation to ensure compliance with the field strength limit of §90.259(b)(11), as measured at the WMTS site.
  - (6) Upon receipt of a registration request for WMTS equipment operating in the 1395-1400 MHz band, notify each party licensed to operate in the 1392-1395 MHz band in the applicable geographic area pursuant to Subpart I of Part 27, of the need to comply with the field strength limit set forth in §27.804.

**§90.259 Assignment and use of frequencies in the bands 216-220 MHz and 1427-1432 MHz.**

- (a) 216-220 MHz band.
- (b) 1427-1432 MHz band.
  - (1) Frequencies in the 1427-1432 MHz band may be assigned to applicants that establish eligibility in the Public Safety Pool or the Industrial/Business Pool.
  - (2) All operations in the 1427-1429.5 MHz band are secondary to the Wireless Medical Telemetry Service except in the locations specified in paragraph (b)(4) of this section. At the locations specified in paragraph (b)(4) of this section, all operations are secondary to the Wireless Medical Telemetry Service in the 1429-1431.5 MHz band.
  - (3) All operations in the 1429.5-1432 MHz band are primary in status except in the locations specified in paragraph (b)(4) of this section. At the locations specified in paragraph (b)(4) of this section, all operations are primary in status in the 1427-1429 MHz and 1431.5-1432 MHz bands.
  - (4) Locations:
    - (i) Pittsburgh, Pennsylvania--Counties of Westmoreland, Washington, Beaver, Allegheny and Butler;
    - (ii) Washington, DC metropolitan area--Counties of Montgomery, Prince George's, and Charles in Maryland; Arlington, Prince William, Fauquier, Loudon, and Fairfax; Cities of Alexandria, Falls Church, Fairfax, Manassas and Manassas Park in Virginia; and District of Columbia;
    - (iii) Richmond/Norfolk, Virginia--Counties of Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Isle of Wight, James City, New Kent, Powhatan, Prince George, Southampton, Surrey, Sussex, and York; Cities of Chesapeake, Colonial Heights, Franklin,

Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, and Williamsburg;

(iv) Austin/Georgetown, Texas--Counties of Williamson and Travis;

(v) Battle Creek, Michigan--County of Calhoun;

(vi) Detroit, Michigan--Counties of Oakland, Wayne, Washtenaw, Macomb and Livingston;

(vii) Spokane, Washington--Counties of Spokane, WA and Kootenai, ID.

(5) All operations in the 1429.5-1432 MHz band authorized prior to April 12, 2002 are on a secondary basis.

(6) For secondary operations only fixed stations are permitted. At the locations specified in (b)(4) of this section, secondary operations are performed in the 1429-1431.5 MHz band. For all other locations, secondary operations are performed in the 1427-1429.5 MHz band. The maximum power is 1 watt EIRP.

(7) For primary operations base, mobile, operational fixed and temporary fixed operations are permitted.

**§90.176. Coordinator notification requirements on frequencies below 512 MHz, at 764-776/794-806 MHz, or at 1427-1432 MHz.**

(d) *Frequencies in the 1427-1432 MHz band.* Within one business day of making a frequency recommendation, each frequency coordinator must notify and provide the information indicated in paragraph (g) of this section to the WMTS frequency coordinator designated in §95.113 and to all other frequency coordinators who are also certified to coordinate that frequency. In addition, the frequency coordinator must ensure compliance with all coordination requirements incorporated in the joint WMTS-Part 90 coordination plan filed in WT Docket 02-8 on August 18, 2004.

**ATTACHMENT  
C**

### §95.1113 Frequency coordinator.

(a) The Commission will designate a frequency coordinator(s) to manage the usage of the frequency bands for the operation of medical telemetry devices.

(b) The frequency coordinator shall

(1) Review and process registration requests submitted by authorized health care providers as required in §95.1111;

(2) Maintain a database of WMTS use;

(3) Notify users of potential conflicts; and

(4) Coordinate WMTS operation with radio astronomy observatories and Federal Government radar systems as specified in §§95.1119 and 95.1121.

(5) Upon receipt of a registration request for WMTS equipment operating in the 1427-1432 MHz band, notify all Part 90 frequency coordinators of the intended activation in accordance with the joint WMTS-Part 90 coordination plan filed in WT Docket 02-8 on August 18, 2004. The Part 90 frequency coordinators shall, in turn, determine potentially affected Part 90 licenses and notify those Part 90 licensees operating in the 1427-1432 MHz band in accordance with §90.259(b) of their obligation to ensure compliance with the field strength limit of §90.259(b)(11), as measured at the WMTS site.

(6) Upon receipt of a registration request for WMTS equipment operating in the 1395-1400 MHz band, notify each party licensed to operate in the 1392-1395 MHz band in the applicable geographic area pursuant to Subpart I of Part 27 of the need to comply with the field strength limit set forth in §27.804.

Deleted: coordination

Deleted: Notify licensees--who are operating in accordance with §90.259(b)--of the need to comply with the field strength limit of §90.259(b)(11) prior to initial activation of WMTS equipment in the 1427-1432 MHz band

Deleted: Notify licensees--who are operating in 1392-1395 MHz band in accordance with Subpart I of Part 27--of the need to comply with the field strength limit of §27.804 prior to initial activation of WMTS equipment in the 1395-1400 MHz band

### §90.259 Assignment and use of frequencies in the bands 216-220 MHz and 1427-1432 MHz.

(a) 216-220 MHz band.

(b) 1427-1432 MHz band.

(1) Frequencies in the 1427-1432 MHz band may be assigned to applicants that establish eligibility in the Public Safety Pool or the Industrial/Business Pool.

(2) All operations in the 1427-1429.5 MHz band are secondary to the Wireless Medical Telemetry Service except in the locations specified in paragraph (b)(4) of this section. At the locations specified in paragraph (b)(4) of this section, all operations are secondary to the Wireless Medical Telemetry Service in the 1429-1431.5 MHz band.

(3) All operations in the 1429.5-1432 MHz band are primary in status except in the locations specified in paragraph (b)(4) of this section. At the locations specified in paragraph (b)(4) of this section, all operations are primary in status in the 1427-1429 MHz and 1431.5-1432 MHz bands.

(4) Locations:

(i) Pittsburgh, Pennsylvania--Counties of Westmoreland, Washington, Beaver, Allegheny and Butler;

(ii) Washington, DC metropolitan area--Counties of Montgomery, Prince George's and, Charles in Maryland; Arlington, Prince William, Fauquier, Loudon, and Fairfax; Cities of Alexandria, Falls Church, Fairfax, Manassas and Manassas Park in Virginia; and District of Columbia;

(iii) Richmond/Norfolk, Virginia--Counties of Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Isle of Wight, James City, New Kent, Powhatan, Prince George,

Deleted: ,

Southampton, Surrey, Sussex, and York; Cities of Chesapeake, Colonial Heights, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, and Williamsburg;

(iv) Austin/Georgetown, Texas--Counties of Williamson and Travis;

(v) Battle Creek, Michigan--County of Calhoun;

(vi) Detroit, Michigan--Counties of Oakland, Wayne, Washtenaw, Macomb and Livingston;

(vii) Spokane, Washington--Counties of Spokane, WA and Kootenai, ID.

(5) All operations in the 1429.5-1432 MHz band authorized prior to April 12, 2002 are on a secondary basis.

(6) For secondary operations only fixed stations are permitted. At the locations specified in (b)(4) of this section, secondary operations are performed in the 1429-1431.5 MHz band. For all other locations, secondary operations are performed in the 1427-1429.5 MHz band. The maximum power is 1 watt EIRP.

(7) For primary operations base, mobile, operational fixed and temporary fixed operations are permitted.

**§90.176. Coordinator notification requirements on frequencies below 512 MHz, at 764-776/794-806 MHz, or at 1427-1432 MHz.**

(d) *Frequencies in the 1427-1432 MHz band.* Within one business day of making a frequency recommendation, each frequency coordinator must notify and provide the information indicated in paragraph (g) of this section to the WMTS frequency coordinator designated in §95.113 and to all other frequency coordinators who are also certified to coordinate that frequency. In addition, the frequency coordinator must ensure compliance with all coordination requirements incorporated in the joint WMTS-Part 90 coordination plan filed in WT Docket 02-8 on August 18, 2004.