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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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AUG 23 2004

Federal Communication Commission
Bureau / Office

In the Matter of)
)
Amendment of Section 73.622(b) of the) MB Docket No. 04-236
Commission's Rules, DTV Table of) RM-11001
Allotments (Fresno, California))

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Federal Communications Commission
Office of the Secretary

To: Chief, Video Division

COMMENTS OF THE COUNTY OF LOS ANGELES

The County of Los Angeles, California ("the County") hereby submits the following comments in response to the *Notice of Proposed Rulemaking* in the above-captioned proceeding, DA 04-1846, released July 2, 2004, regarding a petition filed on May 3, 2004, by KSEE Licensee, Inc. ("KSEE") seeking an amendment of the Commission's rules to substitute digital television (DTV) channel 38 for DTV channel 16 at Fresno, California.

Since 1987, the County has operated public safety land mobile radio communications at 482-488 MHz (UHF channel 16), which the FCC reallocated for Los Angeles-area public safety use in a landmark 1986 decision.¹ There are over 20,000 units on the County's radio system, which provides nearly all of the radio communications for the Los Angeles County Sheriff's Department.

The Sheriff's Department has experienced destructive interference to its radio communications over a wide area in the northwestern portion of the County, near the

¹ *Amendment of Parts 2, 73 and 90 of the Commission's Rules and Regulations to Allocate Additional Channels in the Band 470-512 MHz for Public Safety*, Gen. Docket No. 84-902, Report and Order, 51 Fed Reg. 4352, 59 RR 2d 910 (1986).

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town of Gorman and Interstate 5. There is no dispute that the cause of this interference is KSEE's DTV transmissions on channel 16, as is further explained in the Interference Complaint and Petition filed by the County on March 5, 2004, with the Chief, Spectrum Enforcement Division, Enforcement Bureau.

On May 3, 2004, KSEE filed a Petition for Rulemaking to substitute channel 38 for channel 16 as its DTV allotment, based upon the interference that its channel 16 operations continues to cause. The County strongly supports that substitution and urges the Commission to expedite its consideration of this matter. In particular, the Commission should act *immediately* to amend its rules to eliminate a dangerous source of interference to public safety, and order KSEE to cease its channel 16 transmissions.

CONCLUSION

Therefore, for the reasons set forth above, the County urges the Commission to expedite its consideration of and grant the KSEE petition to substitute channel 38 for channel 16, and to require KSEE to cease interference-causing transmissions.

Respectfully submitted,

COUNTY OF LOS ANGELES

By:



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August 23, 2004

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, a secretary with the law firm of Fletcher, Heald & Hildreth, PLC, hereby state that true copies of the foregoing Comments of the County of Los Angeles were mailed first class, postage prepaid, this 23rd day of August, 2004, to the following:

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