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The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, SW
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RE: Docket 03-103, ex parte communication

Dear Mr. Chairman:

The purpose of this letter is to further elaborate on APCO's concerns and recommendations regarding Air-to-Ground ("ATG") radio communications in the 849-851 and 894-896 MHz bands. APCO continues to be concerned with the potential for interference from certain proposed ATG services to public safety operations that will be relocated to the adjacent 851-854 MHz band, pursuant to the Commission's *Report and Order* in WT Docket 02-55. Indeed, the first adjacent channel, 851.0125 MHz, will be a nationwide mutual-aid calling channel. Public safety licensees should not go through the complex re-banding process to eliminate one form of interference, only to be susceptible to a new type of interference from ATG operations.

APCO has examined several methods to mitigate potential interference from the proposed new ATG services, and found that the various proposals each need different measures to prevent interference to public safety operations. This makes it difficult for APCO to propose precise recommendations for each configuration of possible ATG operations. Furthermore, APCO does not want to limit the flexibility of operators in building the ATG services.

Therefore, to simplify matters, APCO requests that the Commission adopt rules specifying interference protection thresholds similar to those adopted in Docket 02-55. Public safety mobiles and portables should be protected to -101 and -104 dBm as described in section 90.672. The notification provisions in 90.675 should also apply to ATG, as well as interference abatement procedures set forth in section 90.673.

In addition, APCO continues to be concerned with “deck-to-deck” operations that would use the 849-851 MHz band on ground or at low elevations near airports.

We urge the Commission to resolve these and other related interference issues before adopting rules in the ATG proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. M. Gurs", written over the text "Respectfully submitted,".

Robert M. Gurs
Director, Legal & Government Affairs

cc: The Honorable Jonathan Adelstein
The Honorable Kathleen Abernathy
The Honorable Kevin Martin
The Honorable Michael Copps
John Muleta, Chief, WTB