

April 3, 2006



**The Collective Voice of
Public Safety
Communications**

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The Honorable Kevin J. Martin
Chairman of the
Federal Communications Commission
Washington, D.C. 20554

The Honorable David A. Gross
Ambassador and United States Coordinator
for International Communications
Department of State
Washington, D.C. 20520

Dear Chairman Martin and Ambassador Gross:

The Commission's important and emphatic work addressing the interference challenges in the 800 MHz band represents a critical decision to improve public safety communications. A discrete, yet important element of the 800 MHz reconfiguration is updating agreements with the Governments of Canada and Mexico addressing use of 800 MHz in the border regions. The frequency table in each agreement must be amended to reflect the Commission's decision.

The benefit the 800 MHz reconfiguration provides, eliminating interference, is now seriously challenged. Operations on the southwest border, areas that otherwise should be receiving the highest priority because of the significant incidents of interference and large population, have no remedy. The inability to effectuate the Commission's 800 MHz reconfiguration plan in border areas disrupts and undermines communications capability in adjoining areas.

Under the Commission's decision, public safety communications and incompatible commercial operations are relocated to different parts of the 800 MHz band to ameliorate the interference challenges encountered. The Commission recognized that with these relocations the current protocols with Mexico and Canada, promoting compatibility and efficient communications in the 800 MHz band in the border areas, no longer serve their purpose and must be updated. Systems operating on different frequencies require revised protocols. As the Commission requires that all 800 MHz operations must remain compliant with existing international obligations, areas requiring cross border coordination cannot move forward to implement the reconfiguration.

The interference environment in 800 MHz between public safety communications and commercial operations is severe in several border areas, particularly in California. These areas served as an example during the Commission's consideration of why action to ameliorate the interference environment for public safety was necessary. Added to the severity of the circumstances is the high population density of the areas, where the lack of quality public safety communications resulting from interference has a

devastating potential. The failure to reach an updated protocol with Mexico means that areas suffering from interference are not afforded the relief envisioned by the Commission.

The areas involved are substantial. All of the National Public Safety Planning Advisory Committee (NPSPAC) regions along the border with Mexico as well as densely populated NPSPAC regions along the Canadian border were placed in the last "wave" of the reconfiguration schedule for the 800 MHz band to implement the Commission's Order, Wave 4. The Transition Administrator supervising the relocation and change over has made clear that these areas are not included in the 36 month deadline the Commission established to complete the reconfiguration. With the lack of updated protocols, the detailed planning and analysis that must take place cannot even commence as any solution must be based on the substance of the updated protocols.

The inability to implement the 800 MHz reconfiguration in the border areas reverberates beyond these NPSPAC regions and undermines existing communications standards and agreements. Established relationships between adjacent regions represent the historic and critical value of the 800 MHz NPSPAC channels. States, such as California and Texas, encompass several NPSPAC regions. The NPSPAC 800 MHz band includes mutual aid channels for interoperability between agencies in different regions. These channels are relied upon in large and small incidents. If a region within a state cannot relocate because of the lack of updated cross border protocols, this core capability to communicate with agencies in the adjacent region disappears. A similar circumstance will result for statewide 800 MHz systems that encompass more than one region. The domino effect of not updating the protocols will result in serious degeneration of established service standards.

The reconfiguration of the 800 MHz band is crucial toward eliminating the intolerable interference conditions facing public safety communications. Expedient implementation of the Commission's Order is vital to this objective. Yet, unless updated protocols can be agreed upon, not only will the benefits of the reconfiguration not be achieved, but agency communications will be placed in a worse circumstance. The National Public Safety Telecommunications Council urges the Commission and the Department of State to recognize this challenge and move to update existing international agreements. If we can assist this effort, please call upon us.

Respectfully,

Vincent R. Stile

Vincent R. Stile, Chair
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