



August 3, 2007



Ms. Marlene H. Dortch
Secretary to the
Federal Communications Commission
Washington, D.C. 20554

Member Organizations

American Association of State
Highway and Transportation Officials

American Radio Relay League

American Red Cross

Association of Fish and Wildlife
Agencies

Association of Public Safety
Communications Officials

Forestry Conservation
Communications Association

International Association of Chiefs of
Police

International Association of
Emergency Managers

International Association of Fire Chiefs

International Municipal Signal
Association

National Association of State Chief
Information Officers

National Association of State
Emergency Medical Services
Directors

National Association of State
Foresters

National Association of State
Telecommunications Directors

Liaison Organizations

Federal Communications Commission

National Telecommunications and Information
Administration

Telecommunications Industry Association

US Department of Agriculture

US Department of Justice

NIJ CommTech Program

US Department of Homeland Security

FEMA

Office of Emergency Communications

Office of Interoperability and Compatibility

SAFECOM Program

US Department of Interior

Re: In the Matter of Part 90 of the Commission's Rules to
Provide for Flexible Use of the 896-901 MHz and 935-940 MHz Bands
Allotted to Business and Industrial Land Transportation Pool, WT
Docket 05-62.

Ex Parte Communication

Dear Ms. Dortch :

On behalf of the National Public Safety Telecommunication
Council (NPSTC), this letter responds to the *ex parte* communication
of the Enterprise Wireless Alliance (EWA) addressing access to the
900 MHz band by public safety agencies for paging purposes. EWA
noted its support for non waiver access to the 900 MHz Business and
Industrial/Land Transportation (B/ILT) band for some public safety
responsibilities requiring wireless messaging capability. NPSTC
believes EWA's concept is a reasonable accomodation of the
competing interests in this band provided that the Commission's rules
recognize that all public safety eligible agencies have access to these
channels for digital paging operations.

NPSTC reiterates that allocating paging channels in the 900
MHz band to public safety was a core recommendation of the
Commission's Independent Panel addressing Hurricane Katrina.¹ The
comments responding to the Commission's Notice of Proposed
Rulemaking (*NPRM*) addressing the Independent Panel's
recommendation noted the benefits the 900 MHz B/ILT pool of
spectrum for paging systems for disaster and other emergency
environments. Paging systems, possessing inherent redundancy, can
be more reliable than voice/cellular systems. Significant efficiency is
gained by group pages transmitting critical information to alert

Independent Panel Reviewing the Impact of Hurricane Katrina on
Communications Networks Report and Recommendations to the Federal
Communications Commission, at paragraph 5, page 10, In the Matter of
Recommendations of the Independent Panel Reviewing the Impact of Hurricane
Katrina on Communications Networks, *Notice of Proposed Rulemaking*, FCC 06-
83, EB Docket No. 06-119 (June 19, 2006).

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thousands of units at the same time. Cost factors are another significant benefit. The Commission recognized the validity of thousand of units at the same time. Cost factors are another significant benefit. The Commission recognized the Independent Panel's recommendation by committing the Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau to review and act upon the recommendations.²

Digital paging capability in the 900 MHz band will provide meaningful assistance to public safety agencies beyond emergency medical response. The fire services need efficient means to notify responding members, particularly where agencies rely upon volunteer forces that must be summoned from work or residence. It would be counter to the Commission's history and commitment to public safety communications to limit access to particular public safety responsibilities. It would also create contradiction and vagueness across licensees as first responders often share other public safety duties. The Independent Panel, the Commission's *NPRM* and the responding comments did not recommend that access be limited.

NPSTC urges the Commission to allow public safety agencies to be licensed in the 900 MHz B/ILT band for purposes of digital paging. Public safety applicants should be subject to no conditions other than availability and normal frequency coordination parameters. The Commission's operating and general technical standards and rules should recognize and promote these paging operations.

NPSTC restates its agreement that appropriate interference protection measures be adopted by the Commission in the band. The coexistence of incompatible services operating will be promoted by these measures, including affording protection to public safety paging operations.

NPSTC appreciates EWA's effort to move this proceeding forward and the Commission's consideration of our views. Providing public safety access to paging capability in the 900 MHz B/ILT band will make a real contribution toward improving emergency response.

Respectfully,

Vincent Style

Vincent R. Stile, Chair
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² In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks Report and Recommendations to the Federal Communications Commission, *Order* at paragraph 101, EB 06-119, WC 06-63, FCC 07-107 (June 8, 2007).