

the flexibility to modify their procedures, subject to mutual agreement, to accommodate future developments in technology and interference analysis.

In its comments, Itron, Inc. states that the Commission's WMTS rules should specify that WMTS users must coordinate operations *prior to* construction.² Itron also urges that the WMTS rules should expressly require WMTS licensees to re-coordinate prior to construction of modifications that could reasonably be expected to alter the interference contours of their systems.³ ASHE appreciates the importance of early registration of WMTS systems, both at initial installation and upon any modifications that could affect the interference potential. To that end, ASHE has proposed in its initial comments specific language changes to Section 95.1105 to clarify that health care providers lawfully may *operate* WMTS transmitters *only after* the coordination requirements in Section 95.1111 of the Commission's rules have been met. While ASHE agrees that registration even prior to installation is preferable, and will reduce the risk that changes to the initial construction must be made to avoid interference with WMTS (or telemetry) systems that have already been registered in the ASHE database, ASHE does not believe that the rules should specify when, prior to operation, such registration must be filed.

Itron also proposes that the Commission codify in the rules the details of the existing frequency coordination protocol submitted by ASHE and LMCC.⁴ ASHE

² Comments of Itron, Inc. at 1.

³ *Id.* at 2.

⁴ *Id.*

does not support such codification. Codification will substantially impair the ability of the affected frequency coordinators to adapt the protocol to changing technologies and improved data processing capabilities. Rather than codifying the details of the multi-page frequency coordination plan, the Commission simply should cross-reference the coordination plan in the rules. By cross-referencing, rather than codifying, the plan, the plan can be amended from time to time by the mutual agreement of the then-authorized WMTS frequency coordinator and the then-authorized Part 90 coordinators for the relevant frequency bands. By requiring the consent of all affected coordinators, the same cooperative effort that led to the current protocol can be utilized to make appropriate changes. Of course, in the case of a dispute, the FCC would act as the sole arbiter.

In its initial comments, LMCC did not expressly take a position on whether the details of the agreed upon coordination protocol should be codified into the rules. LMCC did recommend that the FCC require the WMTS coordinator to notify Part 90 coordinators using a certain electronic batch filing (“EBF”) format used by certain frequency advisory committees.⁵ LMCC has raised this issue with ASHE on a number of occasions and is well aware of the significant difficulties that such a requirement presents for ASHE, whose unique role as a database manager places it in a different position than other frequency coordinators. Moreover, this is the very type of detail that should not clutter up the FCC’s rules, but rather should be negotiated between and among coordinators as new electronic formats may evolve

⁵ Comments of the Land Mobile Communications Council at 19.

