

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Amend)	RM-11527
The Land Mobile-TV Sharing Rules)	
On the 470-512 MHz Bands)	

COMMENTS OF APCO

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in support of the above-captioned Petition for Rulemaking submitted by the National Public Safety Telecommunications Council (“NPSTC Petition”) concerning the 470-512 MHz band. (TV channels 14-20).¹

APCO is the nation’s oldest and largest public safety communications organization. Founded in 1935, APCO has nearly 16,000 members, most of whom are state or local government employees who design, manage, and operate public safety communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO is the largest FCC-certified coordinator for Part 90, Public Safety Pool radio frequencies, and regularly appears before the Commission on a wide range of issues regarding public safety communications.

The Commission’s rules allocate a portion of the 470-512 MHz band for public safety and other private land mobile radio communications in eleven major metropolitan areas: New York, San Francisco, Los Angeles, Philadelphia, Boston, Washington, Chicago, Miami,

¹ APCO is a member of NPSTC.

Pittsburgh, Dallas, and Houston.² The Commission has also granted numerous waivers allowing additional public safety use of specific 470-512 MHz frequencies or, in some cases, the entire TV channel.³ Some waivers also allow use of allocated channels beyond the relevant metropolitan areas. In New York, Los Angeles and other areas, the 470-512 MHz band has become a principal source of radio spectrum for interoperable public safety communications systems. Some of the nation's largest public safety agencies use the band for virtually all of their mobile and portable radio communications.⁴

The Commission's current rules limit the location of land mobile radio base stations using 470-512 MHz channels to within 50 miles of the geographic centers of the relevant metropolitan areas.⁵ Mobile use is permitted within 30 miles of an associated base station.⁶ These rules are intended to prevent land mobile systems from causing interference to co-channel and adjacent-channel television stations. However, as explained in the NPSTC Petition, the transition to digital television provides an opportunity to modify the rules to reflect more accurately the actual potential for interference between land mobile and television broadcast operations. Digital television signals are less susceptible to interference than analog signals. Thus, the area in which land mobile stations may be located can be expanded slightly without interfering with reception of existing co-channel and adjacent-channel television stations entitled to interference protection.

² 47 C.F.R. §90.303

³ *E.g.*, *County of Los Angeles, California*, DA 08-2823, released December 30, 2008; *Nassau County Police Department*, DA 02-1771, 17 FCC Rcd 14252 (2002).

⁴ *E.g.*, New York City Police Department and Los Angeles County Sheriff's Department.

⁵ 47 C.F.R. §90.305(a)

⁶ 47 C.F.R. §90.305(b)

Expanding the permitted radius from 50 to 80 miles will allow some public safety radio systems to cover sprawling suburban communities that are often more than 50 miles from city centers. This will improve regional interoperability, and enhance coverage and capacity for systems serving rapidly growing communities. It will also reduce the need for licenses to seek waivers when base stations must be located slightly beyond the current 50 mile radius.

Finally, APCO also supports the other recommendations regarding the 470-512 MHz band set forth in the NPSTC Petition regarding contour protection ratios, TV protection/distance separations, and in-market land mobile operations.

CONCLUSION

Therefore, for the reasons set forth above, APCO urges the Commission to initiate a rulemaking proceeding to adopt the rules proposed in the NPSTC Petition.

Respectfully submitted,

/s/

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