

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

In the Matter of )  
 )  
Improving Spectrum Utilization ) RM-11572  
in the 800 MHz Band Between )  
854-861/809-816 MHz )

To: The Commission

**COMMENTS OF  
FISHER WIRELESS SERVICES, INC.**

Fisher Wireless Services, Inc. (“FWSI” or the “Company”) is pleased to support the above-identified Petition for Rulemaking (“Petition”) filed by the Enterprise Wireless Alliance (“EWA”).<sup>1</sup> The Petition urges the Federal Communications Commission (“FCC”) to initiate a rulemaking proceeding to permit the assignment of new, full-power, interstitial 12.5 kHz bandwidth channels in the 800 MHz band. FWSI believes that the Petition represents an important step in pursuing spectrum management techniques that will permit more intensive use of this important land mobile band.

FWSI has a particular interest in the outcome of this proceeding as it has significant experience and investment in the 800 MHz band. The Company has held a substantial number of 800 MHz authorizations since the band was first allocated for private land mobile use several decades ago. It has operated both conventional and trunked commercial facilities in urban and rural markets. More recently, FWSI deployed advanced digital Harmony/iDEN technology on the 800 MHz systems it operates. FWSI

---

<sup>1</sup> *Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Seek Comment on the Petition by Enterprise Wireless Alliance Requesting the Creation of new, Full Power, Interstitial 12.5 kHz Channels in the 800 MHz Band*, Public Notice, DA 09-2183, rel. Oct. 8, 2009.

did so because it believed its customers desired certain features available only on a digital system and because of the increased capacity it is able to derive from its spectrum holdings by operating in a digital mode.

Because of its position as a relatively large 800 MHz incumbent, the Company has considered the EWA proposal from two perspectives. It has a primary concern that the rules continue to protect the operations of licensees such as itself from potential interference. This is of particular importance to FWSI in light of its conversion to digital technology. It would not support a proposal that had the potential for degrading the quality of service the Company is able to offer its subscribers.

However, the Company is also highly sensitive to the need for additional 800 MHz capacity. While this need undoubtedly exists in many parts of the county, much of the FWSI service area falls into the Mexican border region where there is even less available spectrum than there is in most of the nation. Adoption of the proposal in the Petition has the potential for fostering more spectrum availability in areas that historically have been short-changed because of treaty requirements.

FWSI recognizes that the rule change recommended by EWA will have very limited applicability, if any, in major urban areas where all 25 kHz bandwidth channels are already assigned. The impact will be in more outlying communities, including those in the Mexican and Canadian border regions, where the 25 kHz bandwidth channels are not available because of the need to protect their use in adjacent urban markets, but where 12.5 kHz bandwidth channels could be used at an appropriate distance from those adjacent channel licensees. FWSI offers no opinion as to whether the protection standard recommended in the Petition represents the correct criterion for protecting incumbent

operations while also facilitating more intensive spectrum utilization, but leaves that determination to the technical resources in the industry and at the FCC.

The need of the private land mobile community for both commercial and internal communications systems continues to outpace the available spectrum supply. As there is no indication that new allocations are forthcoming to meet these expanding requirements, for this purpose, FWSI urges the FCC to initiate a proceeding along the lines of the EWA Petition so that this industry can derive maximum utilization of the spectrum available to it, consistent with the need to protect the operations of incumbents and the users they serve.

Respectfully submitted,

FISHER WIRELESS SERVICES, INC.

By: \_\_\_\_\_ /s/  
Dana B. Fisher, President  
14530 S. Commercial St.  
Blythe, CA 92225  
(760) 922-4150

November 10, 2009