

**Association of Public-Safety Communications Officials-International**  
**International Association of Chiefs of Police**  
**International Association of Fire Chiefs**

October 21, 2011

James Barnett, Real Admiral (Ret.)  
Chief, Public Safety & Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: WT Docket 02-55

Dear Admiral Barnett:

Our organizations were participants in the original “consensus agreement” that led to the current 800 MHz rebanding rules, and we continue to remain active in ensuring that rebanding addresses the underlying problem of interference to public safety radio communications. Therefore, we are concerned that a recent Bureau order regarding a public safety licensee in the Canadian border area could lead to a reduction in the interference protections that 800 MHz rebanding was intended to establish.<sup>1</sup> The Bureau’s order suggests that, in certain border area situations, Sprint’s ESMR operations can be assigned channels with less than 1 MHz separation from channels to which public safety licensees are being rebanded. Rebanding is based upon the principle that a minimum frequency separation between public safety and ESMR operations is necessary to prevent interference from occurring in the first instance. Rebanding rejects the principle that it is sufficient to correct interference to public safety systems after the fact. While public safety licensees in border areas have fewer frequency options, they should be entitled to the same interference protections, including frequency separation, as others. Preventing dangerous interference to first responders in border regions is just as important as in non-border regions.

We take no position regarding the specific issues in dispute in the Bureau’s order. Rather, we urge the Commission to ensure that all of its actions in the rebanding context are consistent with the need to create adequate frequency separation to prevent interference to public safety communications.

Respectfully,

Gregg Riddle, President, APCO

Contact Robert M. Gurss, 202-236-1743, gurssr@apcomail.org

Chief Mark Marshall, President, IACP

Contact Chief Harlin R. McEwen, 607-227-1664, chiefhrm@pubsaf.com

Chief Al H. Gillespie, President, IAFC

Contact Alan Caldwell, 703-537-4809, acaldwell@iafc.org

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<sup>1</sup> *County of Genesee, New York*, DA 11-1521 (Sept. 9, 2011).