



LAND MOBILE COMMUNICATIONS COUNCIL

August 16, 2012

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WP Docket No. 07-100
Adjacent Channel Contour Values Table
FCC Rule Section 90.187(d)(1)(C)
Memorandum of Agreement by the FCC-Certified
Frequency Advisory Committees

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Federal Communications Commission (“FCC”) rules, on June 14, 2012, the Land Mobile Communications Commission (“LMCC”) submitted a written *ex parte* communication in the above referenced proceeding.¹ In that letter, the FCC was advised that consistent with Rule Section 90.187(d)(1)(C), the certified frequency advisory committees would execute a Memorandum of Agreement (“MOA”) that would require adjacent channel affected party analyses to be conducted in compliance with the Adjacent Channel Contour Values (“ACCV”) table. The MOA has now been fully executed by the Public Safety and Industrial/Business frequency advisory committees and is attached to this letter.

The LMCC requests that the FCC release a *Public Notice* regarding this matter, specifically confirming that the ACCV table is accepted and recognized as the agreed upon methodology used by all certified committees for evaluating trunked land mobile

¹ See letter from Douglas M. Aiken, President, Land Mobile Communications Council dated June 14, 2012, which submitted for the FCC’s acceptance and publication in a *Public Notice*, an Adjacent Channel Contour Values (“ACCV”) table that would be utilized by the FCC’s Public Safety and Industrial/Business certified frequency advisory committees during analyses to identify incumbents who are to be recognized as affected parties for purposes of certifying exclusive use channels within centralized and hybrid trunked radio communication systems.

system applications for the 150-512 MHz band.² As noted in the MOA itself, use of the table may be implemented by any Committee prior to FCC acknowledgement of the MOA, but shall be used by all Committees upon FCC acceptance and acknowledgement.³ In the event incidences of harmful interference to or from adjacent channel licenses occur, the LMCC will amend the ACCV table as necessary, and inform the FCC of any changes to the derating figures.

If necessary, the LMCC would be pleased to discuss this matter further with FCC representatives.

Respectfully submitted,

Douglas M. Aiken

President

Attachment
LMCC Memorandum of Agreement

² The LMCC is aware that the FCC has suspended the acceptance and processing of certain Part 90 applications specifying channels within the 470-512 MHz band, see DA 12-643, but the applicability of the ACCV table is still relevant for certain applications.

³ See Item 2, MOA Terms and Conditions.

Memorandum of Agreement

Purpose

The purpose of this Memorandum of Agreement ("MOA") is to establish adjacent channel F(50,10) interfering contour values for the 150-512 MHz bands that will be utilized by the Public Safety and Industrial/Business frequency advisory committees ("Committees" or "Committee") during frequency coordination, selection and certification processes. The Adjacent Channel Contour Values ("ACCV") table is intended by the Committees to protect incumbent adjacent channel systems from interference and promote the identification of exclusive channel assignments for use in proposed hybrid and centralized trunked systems. The ACCV table is appended as Exhibit A.

Terms and Conditions

1. The Land Mobile Communications Council ("LMCC") shall submit the ACCV table to the FCC with a request that it be accepted and acknowledged by the FCC in a Public Notice as the agreed upon methodology used by all Committees for evaluating trunked land mobile system applications for the 150-512 MHz bands.
2. The ACCV table may be implemented by any Committee prior to FCC acknowledgement of the MOA, but shall be used by all Committees upon FCC acceptance and acknowledgement.
3. Consistent with the LMCC-endorsed provisions of FCC Rule Section 90.187(d)(1)(C), the frequency coordination analyses conducted by the Committees shall be performed using generally accepted engineering practices.
4. Any changes to the ACCV table will require the unanimous consent of the Committees and acceptance and acknowledgement by the FCC.
5. Failure by any Committee to abide by the ACCV table and/or to use generally accepted engineering practices in coordinating trunked land mobile system applications for the 150-512 MHz bands may result in requests by Committees complying with the terms of this MOA to dismiss applications submitted by the non-complying Committee.
6. These terms and conditions do not supersede the provisions of FCC Rule Section 90.187, and are intended specifically to comply with the provisions of 90.187(d)(1)(C).

Execution

This MOA is entered into by and among the undersigned Committees as of the latest date provided below.

Signature Page

**American Association of State Highway
and Transportation Officials (AASHTO)**

Signed William K. Foy
Title Telecommunications UGR
Date July 2, 2012

American Automobile Association (AAA)

Signed _____
Title _____
Date _____

American Petroleum Institute (API)

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Association of American Railroads (AAR)

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**Association of Public Safety
Communications Officials, Int'l (APCO)**

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Enterprise Wireless Alliance (EWA)

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**Forest Industries
Telecommunications (FIT)**

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**Forestry-Conservation
Communications Association (FCCA)**

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**International Municipal Signal
Association (IMSA)**

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MRFAC, Inc. (MRFAC)

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**PCIA - The Wireless Infrastructure
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Utilities Telecom Council (UTC)

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**American Association of State Highway
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American Automobile Association (AAA)

Signed *Carmy Ruank*
Title ERS Communications
Date 6/15/2012

American Petroleum Institute (API)

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Association of American Railroads (AAR)

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**Association of Public Safety
Communications Officials, Int'l (APCO)**

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Enterprise Wireless Alliance (EWA)

Signed *John G. ...*
Title PRES / CEO
Date 6/15/2012

**Forest Industries
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**Forestry-Conservation
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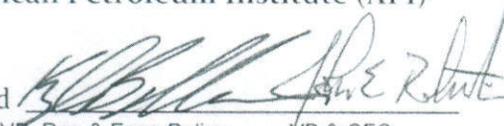
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Title VP, Reg & Econ Policy VP & CFO
Date 8/6/12

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Association of American Railroads (AAR)

Signed James G. Pinner
Title AAR FREQUENCY COORDINATOR
Date JUNE 15, 2012

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**Association of Public Safety
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Signed Joseph Runtle
Title Director, APCO-AFC
Date 06/29/12

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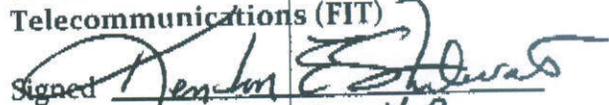
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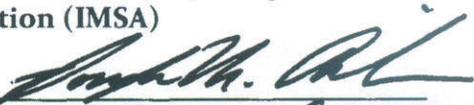
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Forestry-Conservation Communications Association (FCCA)

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Title Executive Director
Date July 11, 2012

International Municipal Signal Association (IMSA)

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Title COMMUNICATIONS COMMITTEE CHAIR
Date 29 JUNE 2012

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Signed Peter Greene
Title Alternate
Date 6/25/2012

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Title Director - PCIA Frequency Coord
Date 7/23/2012

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Utilities Telecom Council (UTC)

Signed Donald J. Nash
Title DIRECTOR, SPECTRUM SERVICES
Date 7-2-12

Central Station Alarm Association (CSAA)

Signed Eugen Maliszewsky

Title Director of Engineering

Date 6/28/12