



Region 55

700 MHz & 800 MHz Regional Public Safety Planning Committee

(New York – Buffalo Area)



August 21, 2012

Marlene H. Dortch

Attention: Public Safety and Homeland Security Bureau

Federal Communications Commission

445 12th Street, S.W.

Washington, DC

20554

Re: WT Docket No. 02-55, Mediation No.TAM-43102.

Comments of Region 55

Region 55 submits these comments regarding *Petition for Waiver of the Commission's Rules to Allow Genesee to Continue to Operate with 5kHz Deviation Following Reconfiguration*.

FCC Region 55 is a geographic area consisting of seventeen New York State Counties: Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates. There are many jurisdictions, ranging from the state government to quasi-municipal organizations.

The majority of the Region 55 area lies within the Canadian Treaty impact zone, where U.S. primary channels are in a very high demand. All necessary precautions must be taken by the Region to assure maximum reuse of already limited 800MHz spectrum.

In accordance with 47 C.F.R Section 90.210(h), NPSPAC band has more stringent emission mask with deviation of 4 kHz. This requirement helps to maximize use of spectrum, at the same time minimizing adjacent and co-channel interference.

1. 5 kHz deviation rate produces a broader signal compare to 4 kHz deviation, which is much closer to the upper and lower modulation acceptance limit and therefore susceptible to harmful interference, degraded performance and potentially causing interference to other public safety radio systems. Frequency modulation process creates sidebands, which extends much further than the expected 5 kHz deviation. The increase in 1 kHz deviation from the standards 4 kHz deviation creates significant increase in required bandwidth and sideband splatter on adjacent frequencies.

Regional Chairperson

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2. It is our understanding that the current Genesee County radio system, operating on FRED channels, is designed to operate with 5 kHz deviation. There is no evidence that reduction to 4 kHz deviation on existing transmitter(s) will assure compliance with emission mask in Section 90.210 of 47 C.F.R (the Commission's Rules) or the frequency stability requirements of Section 90.213 of Commission's Rules. The assumption that it will is contrary to public safety interests.

3. Recommended coordination procedure presented in the Waiver Request (see "Genesee County Post Rebanding Recommended Adjacent Channel Coordination Procedure") would require amendments to Region 55 Plan and require inter-regional coordination. Region 55 would be required to receive approval from other adjacent FCC Regions due to the effect proposed 5 kHz deviation and following plan changes might have on other FCC Regions. Specifically, the procedure presented with the Waiver Request proposes to "...push the interference contour out, thereby increasing the minimum separation distance between adjacent channels stations..." Therefore, non-conformance with current Commission's Rules regarding NPSPAC deviation might create a ripple effect not only to Region 55 coordination but also other FCC Regions.

4. In addition, the Waiver is being requested for non-defined period of time. This uncertainty along puts public safety in and around Genesee County into burdensome position with operational limitations and potential interferences which hinder public safety.

Region 55 strongly disagrees with approach for Genesee County to remain operational with 5 kHz deviation and would like to see other solutions to Genesee County 800 MHz reconfiguration, which will comply with NPSPAC 4 kHz deviation requirement and will not have such a significant negative impact to public safety.

Respectfully,

Peter Stritzinger

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