PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU CERTIFIES ADDITIONAL FREQUENCY COORDINATOR FOR 800/900 MHz BUSINESS/INDUSTRIAL/LAND TRANSPORTATION POOL

WT Docket No. 14-75

In 1986, the Commission certified frequency coordinators in the private land mobile radio services.[1] At this time, the Association of American Railroads (AAR) was certified to coordinate certain frequencies below 512 MHz. In 1997, the Commission determined that the Industrial/Business Pool below 512 MHz would be administered by multiple coordinators, thus ending exclusive frequency coordination on certain frequencies and allowing competition to be introduced into the coordination process in those frequencies.[2] The Wireless Telecommunications Bureau (Bureau) subsequently introduced competitive coordination to the 800 MHz and 900 MHz bands, and indicated that the below-512 MHz frequency coordinators were generally qualified to coordinate frequencies in the 800 and 900 MHz bands.[3]

By request filed March 26, 2014, AAR requested certification to provide frequency coordination for Business/Industrial/Land Transportation (B/ILT) Pool frequencies in the 806-816/851-861 and 896-901/935-940 MHz bands. Noting that the Commission found AAR qualified to be certified for the Industrial/Business Pool below 512 MHz, AAR stated that it is qualified, and meets the criteria to be certified, to coordinate applications for the 800/900 MHz B/ILT Pool. AAR stated that granting its request would be in the public interest and consistent with the Commission's statements in support of competition.

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[1] *See* Frequency Coordination in the Private Land Mobile Radio Services, *Report and Order*, PR Docket No. 83-737, 103 F.C.C. 2d 1093 (1986) (*Frequency Coordination Report and Order*).

[2] *See* Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Second Report and Order*, PR Docket No. 92-235, 12 FCC Rcd 14307, 14328 ¶ 40 (1997). The introduction of competition among coordinators was intended to promote lower coordination costs and foster better service to the public. *Id.*

[3] *See* United Telecom Council, *Order*, 16 FCC Rcd 8436, 8443 ¶ 13 (WTB PSPWD 2001). The Bureau has granted six previous requests for certification to coordinate the 800/900 MHz B/ILT Pool. *See* http://wireless.fcc.gov/services/index.htm?job=licensing_3&id=industrial_business#800/900%20MHz%20Coordinators.

The Bureau sought comment on AAR's request on May 14, 2014.[4] Commenters generally support the AAR request,[5] but one commenter (while not opposing the request) expressed concern regarding whether AAR treats all applicants equally.[6] We have reviewed the entire record in this proceeding and hereby certify AAR to coordinate Business/Industrial/Land Transportation Pool frequencies in the 806-816/851-861 MHz and 896-901/935-940 MHz bands. We remind AAR, however, that frequency coordination services must be provided on a non-discriminatory basis and applications must be processed in order of receipt.[7]

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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[4] *See* Wireless Telecommunications Bureau Seeks Comment On Requests of National Frequency Coordination, LLC to be Certified as a Part 90 Frequency Coordinator and the Association of American Railroads to be Certified to Coordinate 800/900 MHz Band Business/Industrial/Land Transportation Frequencies, *Public Notice*, WT Docket 14-75, 29 FCC Rcd 5136-39 (WTB MD 2014). We note that the *Public Notice* also sought comment on an additional frequency coordinator request from National Frequency Coordination (NFC); however, NFC withdrew its request on July 1, 2014. *See* Letter dated July 1, 2014 from Lorri Coffman, Deputy Director, NFC to Marlene H. Dortch, Secretary, Federal Communications Commission.

[5] *See* Forest Industries Telecommunications comments at 1; American Association of State Highway and Transportation Officials, Inc., comments at 3; Utilities Telecom Council reply comments at 1.

[6] *See* Mobile Relay Associates comments at 3-5; Mobile Relay Associates reply comments at 1-2.

[7] *See Frequency Coordination Report and Order*, 103 F.C.C. 2d at 1119 ¶ 53. In particular, we conclude that this precludes AAR, which is itself a license holder in the 800/900 MHz band, from coordinating applications on its own behalf.