



LAND MOBILE COMMUNICATIONS COUNCIL

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April 4, 2007

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Mr. Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: DA 07-487

FCC File No. 0000693489 (WQGI981)

National Science and Technology Network, Inc. (NSTN)

Dear Mr. Stone:

On behalf of the Land Mobile Communications Council (LMCC), please accept this as the LMCC's support of the opinions expressed by the Enterprise Wireless Alliance in its letter dated March 2, 2007, in the above referenced matter.¹ LMCC is a non-profit association of organizations representing virtually all users of land mobile radio systems, including those authorized within the 470-512 MHz band ("T-band"), providers of land mobile services, and manufacturers of land mobile radio equipment. Further, every FCC-certified frequency advisory committee is a member of the LMCC.²

In 1997, the FCC directed its certified frequency advisory committees to reach a consensus on technical standards for frequency coordination under rules adopted in the Refarming proceeding, which established full power 12.5 kHz "offset" channels below 470 MHz and, for the first time, 12.5 kHz offsets in the 470-512 MHz band.³ In response to that directive, the LMCC unanimously

¹ Letter from Andre F. Cote, Senior Vice President, Enterprise Wireless Alliance to Mr. Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, FCC (March 2, 2007).

² LMCC membership includes the following organizations: AAA, AAR, AASHTO, AFWA, APCO, API, ASRI, CSAA, EWA, FCCA, FIT, IAFC, IMSA, ITSA, MRFAC, NASF, PCIA, TIA and UTC.

³ See Replacement of Part 90 by Part 88 to revise the Private Land Mobile Radio Services and Modify Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the

adopted a formal position and corresponding procedures for evaluating adjacent channel interference in the T-band utilizing the interference criteria of TIA/EIA/TSB-88 (TSB 88).⁴ These coordination procedures, unique to the 470-512 MHz band, were unanimously accepted by the FCC's certified frequency advisory committees, have been the norm for evaluating adjacent channel interference within the 470-512 MHz band since their adoption by the LMCC, and have been accepted by the FCC. As EWA submitted copies of the LMCC's transmittal letter and the TSB 88 procedures in its earlier correspondence, the LMCC has elected not to provide duplicate copies of these documents with this letter.

A review of the documents submitted in this specific matter reveal that the Commission granted the above referenced license, notwithstanding the fact that NSTN's application was not supported by TSB 88 interference prediction processes and, based on EWA's analysis, had it been evaluated pursuant to that standard, the results would have precluded grant of WQGI981 since minimum interference degradation thresholds of 5% were exceeded at every proposed site. In other words, in your Order (DA 07-487), the Commission appears to have embraced only the requirements of Rule Section 90.187 regarding trunking and ignored the TSB 88 procedures that have been consistently applied to offset channel use within the T-band. Moreover, NSTN has since filed an application to modify WQGI981 that would increase the existing repeater power to 1000 watts and expand the system with an additional 1000-watt repeater at a different location.⁵ It is the LMCC's understanding that neither of these system enhancements were supported by a TSB 88 analysis, and both will likewise fail to protect adjacent channel incumbents from harmful interference.

It is imperative that the FCC consistently support industry-accepted interference mitigation processes that have been endorsed by the FCC. The FCC relies on its certified frequency advisory committees to conform to these accepted protocols, to apply prudent spectrum management techniques and to manage the efficient use of the limited spectrum available within the 470-512 MHz band for B/ILT and public safety entities. It is therefore imperative that the FCC recognize and affirm industry-accepted interference mitigation processes that have been endorsed by the FCC. To do otherwise threatens our collective spectrum management objectives and creates unnecessary confusion within the bands allocated for use by B/ILT and public safety users.⁶

Private Land Mobile Services, PR Docket No. 92-235, *Second Report and Order*, 12 FCC Rcd 14307, 14330-31 ¶ 43 (1997).

⁴ Letter from Larry A. Miller, President, LMCC, to Daniel B. Phythyon, Esq., Acting Chief, Wireless Telecommunications Bureau, FCC (September 10, 1997).

⁵ See application number 0002920691.

⁶ The LMCC notes that in a separate matter regarding File Nos. 0002698531 and 0002734941, the FCC in its Order issued by the Public Safety and Homeland Security Bureau recognized the applicability of the TSB 88 analysis for applications filed within the 470-512 MHz band, which seems to conflict with the Order issued in this matter.

The LMCC requests that the FCC reaffirm its commitment to the industry-adopted and FCC-accepted TSB 88 protocols that were contained within the LMCC's letter dated September 10, 1997. The LMCC will be pleased to respond to requests for further information or questions that the FCC may have in this matter. We look forward to the FCC's response.

Sincerely,

Ralph A. Haller
Ralph A. Haller
President

RH:dv

Cc: Mark Abrams
David Kaufman
Ted Henry
Cathleen Massey
Roger Noel