



LAND MOBILE COMMUNICATIONS COUNCIL

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July 24, 2008

VIA ELECTRONIC FILING

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

**RE: Amendment of Part 90 of the Commission's Rules
WP Docket No. 07-100
Further Supplemental Comments**

Dear Ms. Dortch:

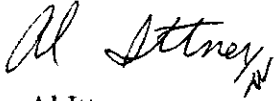
The Land Mobile Communications Council (LMCC), in accordance with Section 1.415(d) of the Federal Communications Commission ("FCC") rules, hereby respectfully requests that the FCC authorize the acceptance of these LMCC Further Supplemental Comments in the above-referenced proceeding.

On June 12, 2008 LMCC filed Supplemental Comments in this proceeding to clarify a few issues presented within LMCC's initial Comments which were filed in August 2007. The Supplemental Comments specifically addressed FCC Rule Section 90.187 which governs trunking operations in the private land mobile bands below 800 MHz.

Since that earlier filing, the LMCC membership has continued its review of rule section 90.187, and has identified a few additional provisions that it believes require further clarification. Those clarifications have been approved by the LMCC membership and are detailed in the attached document.

LMCC hopes the Commission will consider the proposed revisions and agree with LMCC that their adoption will promote efficient spectrum use. LMCC would be pleased to discuss its proposals with Commission staff at their convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Al Ittner".

Al Ittner
President

ATTACHMENT

FCC Rule Sections 90.7 and 90.187

To Accommodate New VHF/UHF FDMA and TDMA Technologies

Section 90.7

Centralized trunked system. A system in which there is dynamic assignment of communications paths by automatically searching all communications paths in the system for and assigning to a user an open communications path within that system. Individual communications paths within a trunked system may be classified as centralized or decentralized in accordance with the requirements of Section 90.187 of this chapter.

Decentralized trunked system. A system which monitors the communications paths within its assigned channels for activity within and outside of the trunked system and transmits only when an available communications path is found. Individual communications paths within a trunked system may be classified as centralized or decentralized in accordance with the requirements of Section 90.187 of this chapter.

Section 90.187. Trunking and monitoring requirements in the bands between 150 and 512 MHz (a) Applicants for centralized and decentralized trunked systems (see Section 90.7 of this chapter) operating on frequencies between 150 and 512 MHz (except 220–222 MHz) must indicate on their applications that their system will be trunked. Licensees of stations that are not trunked may trunk their systems only after modifying their license (see Section 1.927 of this chapter).

(b) Centralized Trunking and Monitoring requirements

(1) Centralized trunked systems may be assigned station classes of FB8/MO8 and deemed to have an exclusive service area upon a demonstration that they meet the requirements of paragraphs (b)(1)(A) or (B) below and, thereafter, are exempt from the monitoring requirements of 90.187(c).

(A) For centralized trunked systems operating within the 470-512 MHz band, the application shall meet the loading requirements of Section 90.313 (a) such that the frequency(s) may not be assigned to another entity without consent in accordance with Sections 90.313(b) and (c).

(B) For centralized trunked systems operating within the 150-512 MHz band (except 220-222 MHz), the application must either be accompanied by written consent from or demonstrate non-overlapping contours with all potentially affected licensees (“Affected Licensee(s)”) using the procedures set forth below. Stations in the 470-512 MHz band operating on channels allotted for bandwidths of 12.5 kHz or less must demonstrate that not more than five percent interference will be caused to the proposed system or Affected Licensees on adjacent channels using TSB-88 analysis procedures.

(i) Affected Licensees, licensees whose authorized channels are within the bandwidth of the proposed trunked station are, for the purposes of this section, as set forth in the following table, except that a mobile-only license that does not specify center coordinates for its operating area will not be considered an Affected Licensee.

Proposed/Incumbent	25 kHz	12.5 kHz	6.25 kHz
25 kHz	15.0	15.0	15.0
12.5 kHz	15.0	7.5	7.5
6.25 kHz	15.0	7.5	0.0

The left column is the bandwidth of the proposed trunked station in kilohertz. The top row is the bandwidth of the incumbent station in kilohertz. The other cells in the table show the frequency range above and below the proposed channel center that must be considered, expressed in kilohertz.

(ii) The proposed station’s interference contour (19 dBu for stations in the 150-174 MHz band and 21 dBu for stations in the 421-512 MHz band) overlaps the service contour (37 dBu for stations in the 150-174 MHz band and 39 dBu for stations in the 421-512 MHz band) of the Affected Licensee. For mobile-only systems, the proposed station’s interference and service contours will be calculated from the center coordinates of the operating area as specified on the application.

(2) The calculation of service and interference contours referenced herein, including appropriate derating factors for mobile-only systems and for systems proposing 6.25 kHz bandwidth equipment operating with less than 12.5 kHz separation from an adjacent 12.5 kHz or 25 kHz bandwidth system, shall be performed using generally accepted engineering practices and standards which, for purposes of this section, shall presumptively be the practices and standards agreed to by a consensus of all certified frequency coordinators and filed with the FCC. The contour analysis shall demonstrate a non-overlap of service and interference contours both from the proposed trunked station to the Affected Licensee(s) and from the Affected Licensee(s) to the proposed trunked station.

(3) The written consent from an Affected Licensee shall state all terms agreed to by the parties and shall be signed by the parties. The written consent shall be maintained by the operator of the centralized trunked station and be made available to the Commission upon request. An application for a centralized trunked station shall include either: (A) a certification from the applicant that written consent has been obtained from all Affected Licensees; or (B) a certification from the frequency coordinator that there is no contour overlap with any potentially Affected Licensee.

(4) After January 1, 2013, licensees of 25 kHz bandwidth systems will not be considered Affected Licensees unless the licensee meets the efficiency standards of one voice path per 12.5 kHz of assigned bandwidth or 4800 bps data rate per 6.25 kHz of assigned bandwidth.

(5) The exclusive service area of a station that has been authorized for centralized trunked operation will be protected from proposed centralized trunked, decentralized trunked or conventional operations in accordance with the standards of subsections b(1)(B)(i) and (ii) above.

(c) Decentralized Trunking and Monitoring Requirements. Decentralized trunked systems (see Section 90.7 of this chapter) must employ equipment that prevents transmission on a frequency if a signal from another system is present on that frequency. The level of monitoring must be sufficient to avoid causing harmful interference to other systems.

(d) Conventional Systems in 470-512 MHz Band and Monitoring Requirements. Applicants for or licensees operating conventional systems in the 470–512 MHz band that meet the loading requirements of Section 90.313 and whose frequency(s) may not be assigned to another entity without their consent in accordance with Sections 90.313(b) and (c) are exempt from monitoring requirements.

(e) Trunking of systems licensed on paging-only channels or licensed in the Radiolocation Service (subpart F) is not permitted.

(f) No more than 10 channels for new centralized trunked operation in the Industrial/Business Pool may be applied for at a single transmitter location or at locations with overlapping service contours, as specified in subsections (b)(1)(B)(ii) and (b)(2) above. Subsequent applications for centralized trunked operation are limited to no more than an additional 10 channels and must be accompanied by a certification, submitted to the certified frequency coordinator coordinating the application, that all of the applicant's existing channels authorized for centralized trunked operation have been constructed and placed in operation. Certified frequency coordinators are authorized to require documentation in support of the applicant's certification that existing channels have been constructed and placed in operation. Applicants for Public Safety Pool channels may request more than 10 centralized trunked channels at a single location or at locations with overlapping service contours (as specified in subsections (b)(1)(B)(ii) and (b)(2) above) if accompanied by a showing of sufficient need. The requirement for such a showing may be satisfied by submission of loading studies demonstrating

that requested channels in excess of 10 will be loaded with 50 mobiles per channel within a five year period commencing with grant of the application.

(g) If a licensee authorized for centralized trunked operation discontinues trunked operation for a period of 30 consecutive days, the licensee, within 7 days thereafter, shall file an appropriate modification application with the Commission.