



LAND MOBILE COMMUNICATIONS COUNCIL

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MEMBER

AAA September 9, 2009

AAR

AASHTO

AFWA Marlene H. Dortch

Office of the Secretary

APCO

Federal Communications Commission

API

445 Twelfth St., SW

ASRI

Washington D.C. 20554

CSAA

EWA

Re: AASHTO Petition for Rulemaking
Addressing Emission Designators

FCCA

FIT

IAFC

Dear Ms. Dortch:

IMSA

ITSA

MRFAC

NASF

PCIA

TIA

UTC

The Land Mobile Communications Council (LMCC) is a non-profit association of organizations representing virtually all users of land mobile radio systems, providers of land mobile services, and manufacturers of land mobile radio equipment. LMCC acts with the consensus, and on behalf, of the vast majority of public safety, business, industrial, transportation and private commercial radio users, as well as a diversity of land mobile service providers and equipment manufacturers.¹ LMCC also includes amongst its membership all of the FCC-certified Frequency Advisory Committees for private land mobile radio services.

On May 18, 2009 the American Association of State Highway and Transportation Officials (AASHTO) filed with the Commission a Petition for Rulemaking that proposes amending §90.175(2)(j)(17) of the Commission's rules to permit the deletion of an emission designator without the licensee having received prior frequency coordination. Under AASHTO's proposal this would be

¹ LMCC's membership includes the following organizations: American Association of State Highway and Transportation Officials (AASHTO), American Automobile Association(AAA), American Petroleum Institute(API), Association of American Railroads (AAR), Association of Fish and Wildlife Agencies(AFWA), Association of Public-Safety Communications Officials-International, Inc.(APCO), Aviation Spectrum Resources, Inc.(ASRI), Central Station Alarm Association(CSAA), Enterprise Wireless Alliance (EWA), Forest Industries Telecommunications(FIT), Forestry-Conservation Communications Association(FCCA), Intelligent Transportation Society of America, Inc.(ITSA), International Association of Fire Chiefs(IAFC), International Municipal Signal Association(IMSA), MRFAC, Inc.(MRFAC), National Association of State Foresters(NASF), PCIA – The Wireless Infrastructure Association(PCIA), Telecommunications Industry Association(TIA), and United Telecom Council(UTC).

permitted by classifying the deletion of an emission designator as a “minor modification” as defined by the Commission’s rules. LMCC endorses this proposal with a caveat as noted herein.

LMCC, as a body, is working diligently with all its constituent land mobile radio users currently operating between 150 and 512 MHz to complete the FCC’s mandated conversion from 25 kHz to 12.5 kHz bandwidth efficiency by January 1, 2013. As part of this conversion, licensees will be required to modify their license to include emission designators that reflect narrowband operation and to delete emission designators that reflect their current wideband operations.

LMCC agrees with AASHTO that the addition of an emission designator constitutes a major modification to an operating license and supports the requirement that a licensee must show proof of frequency coordination when submitting an application to modify an existing permit, as required by the Commission’s rules. LMCC also agrees with AASHTO that the deletion of an emission designator does not carry the same impact as adding a designator and should be treated as a minor modification similar to the deletion of a frequency, antenna, or location that does not require prior frequency coordination.

LMCC envisions that under this scenario licensees may be able to access their license via the FCC’s Universal Licensing System (ULS) and directly delete the wideband emission designators from their license. LMCC supports this user capability *but only* if the ULS is first configured to prevent licensees from accessing, changing or adding *any* other data to their license not currently permitted by regulation. Frequency Advisory Committees rely on the accuracy and the integrity of the ULS to make reasoned frequency selections. As such, licensees should not be able to make unauthorized changes to crucial data such as frequency, ERP, antenna height, etc. To do so would needlessly compromise the ULS and the ongoing frequency selection process.

LMCC believes the adoption of the AASHTO petition, together the above noted changes to the ULS, will result in process streamlining effecting a reduction in both paperwork and effort for all parties, as well as a welcome incremental increase in the rate of conversion to narrowband. Therefore, LMCC requests the Commission act quickly to initiate proceedings to adopt the proposed change to 47 CFR 90.175(2)(j)(17) to allow the deletion of an emission designator as an authorized activity not requiring proof of frequency coordination, as long as a licensee cannot make any other changes to their license via the ULS.

Sincerely,



Al Ittner
President