



LAND MOBILE COMMUNICATIONS COUNCIL

June 3, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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

Dear Ms. Dortch:

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

On August 13, 2007, the LMCC first submitted comments in response to Docket No. 07-100 in which LMCC proposed changes to FCC Rule Section 90.7 regarding trunking definitions and amendments to FCC Rule Section 90.187 governing frequency coordination procedures and licensing requirements for centralized trunked system operations in the 150-512 MHz band. Since that time, the LMCC membership has engaged in a constructive dialogue on best practices and protocols that will permit the spectrum-efficient benefits attributable to narrowband and digital technologies to be realized within these heavily utilized bands. The LMCC has worked to fine-tune its recommendations in response to evolving technical approaches with the objective of proposing rules that will serve both Industrial/Business and Public Safety applicants for new systems as well as incumbent licensees. As the FCC is aware, these ongoing LMCC discussions have resulted in numerous additional filings with the FCC.¹

Since these earlier filings, and specifically since the May 14, 2010 letter to which suggested amendments were attached in "redlined" versions of Rule Sections 90.7 and 90.187, the LMCC membership has identified additional editorial revisions that it believes

¹ See letters dated June 12, 2008, July 24, 2008, and March 13, 2009, from Al Ittner, LMCC President. On May 14, 2010, the LMCC also filed Comments in WP Docket No. 07-100.

will better serve the Industrial/Business and Public Safety communities. These additional recommendations are contained within the attached document which replaces the May 14, 2010, version as the LMCC's recommended rule changes.

LMCC respectfully requests that the FCC consider these proposed revisions as a means to promote spectrum efficiency through centralized trunked systems while simultaneously protecting incumbent wireless system investments. LMCC would be pleased to discuss its proposals with the Commission staff at its convenience.

Respectfully submitted,

Douglas M. Aiken

Douglas M. Aiken
President

cc: James Barnett, Jr., Chief, PSHSB
Ruth Milkman, Chief, WTB
LMCC Membership

Proposed Rules

Part 90 of Chapter 1 of Title 47 of the Code of Federal Regulations are amended as follows:

1. The authority citation for Part 90 continues to read as follows:

Authority: Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7).

2. Section 90.7 is amended by adding definitions for “centralized trunked system” and “decentralized trunked system” in alphabetical order and by revising the definition of “trunked radio system” to read as follows:

§ 90.7 Definitions.

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 trunked system may be classified as centralized or decentralized in accordance with the requirements of Section 90.187 of this chapter

Trunked radio system. A radio system employing technology that provides the availability to search two or more available communications paths and automatically assign a user an open communications path.

3. Section 90.187 is amended to read as follows:

§ 90.187 Trunking in the bands between 150 and 512 MHz.

(a) Applicants for centralized and decentralized trunked systems operating on frequencies between 150 and 512 MHz (except 220-222 MHz) must indicate on their applications (radio service and class of station code, instructions for FCC Form 601) 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) Trunked systems, other than centralized trunked systems, operating under this section must employ equipment that prevents transmission on a trunked frequency if a signal from another system is present on that frequency. The level of monitoring must be sufficient to avoid harmful interference to other systems.

(c) The monitoring requirement in paragraph (b) of this section does not apply to centralized trunked systems operating in the 470-512 MHz band that meet the loading requirements of section 90.313 of this part and have exclusive use of their frequencies in their service areas.

(d) The monitoring requirement in paragraph (b) of this section does not apply to applications for centralized trunked systems in other than the 470-512 MHz band if there are no affected licensees, as defined in subsection (1) below or if the application is accompanied by written consent from all affected licensees.

(1) Affected licensees for the purposes of this section are licensees (and previously filed pending applicants) with both a spectral and a contour overlap, as defined below:

(A) Spectral overlap. Licensees (and filers of previously filed pending applications) with an assigned (or proposed) frequency having a spectral separation above and below the center frequency of the proposed centralized trunked station that does not exceed these values:

Proposed Station	Incumbent Authorized Bandwidth			
	<i>25 kHz Digital*</i>	<i>25 kHz Analog**</i>	<i>12.5 kHz</i>	<i>6.25 kHz</i>
<i>25 kHz</i>	N/A	15.0 kHz	15.0 kHz	15.0 kHz
<i>12.5 kHz</i>	15.0 kHz	7.5 kHz	7.5 kHz	7.5 kHz
<i>6.25 kHz</i>	15.0 kHz	7.5 kHz	7.5 kHz	5.0 kHz

**Where primary and voice **Until 2013*

The left column is the authorized bandwidth requested for the proposed trunked station. The second row is the authorized bandwidth of the incumbent. The other cells in the table show the frequency range above and below the frequency of the proposed centralized trunked station that must be considered.

(B) Co-Channel Contour overlap. Licensees (and filers of previously filed pending applications) with a service contour (37 dBu for stations in the 150-174 MHz band, and 39 dBu for stations in the 421-512 MHz band) that is overlapped by the proposed centralized trunked station's F(50,10) interference contour (19 dBu for stations in the 150-174 MHz band, and 21 dBu for stations in the 421-512 MHz band). The service contour for proposed B/ILT centralized trunked stations shall not be overlapped by an affected incumbent licensee's interference contour. Contour calculations are required only for base station facilities and not for mobile stations associated with those base stations. In the 450 – 512 MHz band, mobile only systems will not receive protection from interference on lower frequencies of any pair.

(C) The calculation of service and interference contours referenced in subparagraph (B) of this section and the determination of adjacent channel protection shall be done using generally accepted engineering practices and standards which, for purposes of this section, shall be the practices and standards agreed to by written agreement of all certified frequency coordinators.

(D) The calculation of service and interference contours shall be derated for mobile or portable units by 9 dB for VHF and 13 dB for UHF.

(E) Mobile facilities using Public Safety (§90.20) frequencies shall be protected from new Centralized Trunked (FB8/MO8) facilities as follows:

- (i) Mobile only systems on the same channel as a proposed FB8 base station will be protected by non-overlap of the proposed base station interfering contour and the public safety mobile only area of operation.
- (ii) Adjacent channel proposed FB8 base station interfering contours will be derated by consensus of the FCC Certified Public Safety Frequency Coordinators.
- (iii) Existing public safety mobile only systems on the same channel as a proposed MO8 system will be protected by preventing overlap of mobile service areas.

- (iv) Existing public safety mobile only systems adjacent up to 7.5 kHz from a proposed MO8 system will be treated as co-channel if the emission on either system exceeds 8.7 kHz.
- (v) No other protection of public safety mobile only systems is required.

(2) Licensees (and filers of previously filed pending applicants) with no permanent base station may be deemed to be affected licensees for the purposes of this section only if center geographic coordinates are specified for the authorized operating area. In such a case, the contours set forth in paragraph (d)(1)(B) of this section shall be calculated with respect to a station located at the center coordinates, using the ground elevation of those center coordinates, the licensed effective radiated power (ERP) (or the licensed output power if no ERP is provided) and assuming an antenna height of 2 meters. Mobile contours may be calculated using the derating factors in section (d)(1)(D) above.

(3) After January 1, 2013, licensees with an authorized bandwidth exceeding 12.5 kHz will not be deemed affected licensees, unless the licensee meets the efficiency standard set forth in section 90.203(j)(3) of this chapter.

(4) 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 certification from the applicant that written consent has been obtained from all affected licensees, or a certification from the frequency coordinator that there are no affected licensees.

(e) 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 subsection (d)(1)(B) above.

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

(g) 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 paragraph (c)(1)(b) of this section. 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 at that location or at locations with overlapping service contours 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 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 the grant of the application. Notwithstanding any other rule section, applicants for trunked operation in the 470-512 MHz band may initially apply for ten channels regardless of loading at the time of the initial application submittal.

(h) 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 a conforming application for modification of license with the Commission.