



**The Collective Voice of
Public Safety
Communications**

MEMBER ORGANIZATIONS

American Association of State Highway
and Transportation Officials

American Radio Relay League

American Red Cross

Association of Public Safety
Communications Officials -
International

Forestry Conservation Communications
Association

International Association of
Chiefs of Police

International Association of
Emergency Managers

International Association of Fire Chiefs

International Association of Fish and
Wildlife Agencies

International Municipal Signal
Association

National Association of State
Emergency Medical Services Directors

National Association of State Foresters

National Association of State
Telecommunications Directors

LIAISON ORGANIZATIONS

Federal Communications Commission

Federal Partnership for Interoperable
Communications

Telecommunications Industry
Association

US Department of Agriculture

US Department of Justice

NIJ CommTech Program

US Department of Homeland Security

FEMA

SAFECOM Program

US Department of Interior

**68 Inverness Lane East, Suite 204
Englewood, CO 80112-5108
PH: 303-649-1843
FAX: 303-649-1844
Toll free: 1-866-807-4755
www.NPSTC.org
NPSTC@highlands-group.com**

September 12, 2005

Mr. Michael Wilhelm
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Communication *In the matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, Report & Order, FCC 04-220, MB Docket 03-185 (September 30, 2004)

Dear Mr. Wilhelm:

This letter presents the views of the National Public Safety Telecommunications Council (NPSTC) regarding the implementation of the Commission's Report and Order addressing the Digital Low Power TV, Translator and Booster transition. Specifically, we address the Public Safety Coordination Requirements in TV Channels 60-69. Our intention is to provide this letter to the Regional Planning Committees (RPC) and State Governments that have responsibility in the administration of the 700 MHz spectrum channels involved. As the rules seek to ensure that public safety communications operate without interference, we urge the Commission to reiterate these responsibilities to low power television and translator interests that may pursue a license the 700 MHz band.

In the Report & Order, the Federal Communications Commission (FCC) decided to allow secondary digital low power television stations (LPTV), TV translators, and TV boosters to apply for new authorizations in Channels 60-69 (746-806 MHz). Public safety has been allocated 24 MHz in the 700 MHz band, comprising four TV channels -- Channels 63, 64, 68, and 69. All 50 states plus the District of Columbia, Puerto Rico, and the Virgin Islands hold state license authorizations in the band. In addition, 48 of the 55 700 MHz RPCs have begun the process of planning how to allocate the 700 MHz spectrum within their regions. One region -- Southern California, Region 5 -- has an FCC-approved Regional Plan at 700 MHz. Many other regions are on the verge of completing and filing their Plans with the FCC.

During the comment phase of MB Docket 03-185, many public safety entities and organizations representing public safety had filed comments with the FCC asking that low power digital TV stations not be permitted to file for new licenses in Channels 60-69 because it would further complicate public safety access to this band. Even though the digital LPTV stations are secondary to the primary users of the band -- public safety land mobile operations in Channels 63, 64, 68, and 69 -- those commenting were concerned that LPTV stations might be reluctant to cease operating on facilities that they had gone to the effort and expense of constructing. Commenters representing the broadcasters expressed concern that without access to all existing broadcast channels, including channels 60-69, the digital TV conversion process would be slowed.

In view of the Commission's decision to allow low power operations in the 700 MHz band, we think it is important that the coordination responsibilities be comprehended by the interests involved. These

interests include low power television, translator and booster applicants, the Regional Planning Committees and State Governments who administer these channels and public safety agencies intending to conduct operations in the band. Our concern is directed not only to responsibilities encompassing the low power television (LPTV) application process, but the protections accruing to public safety operations when an agency undertakes changes within the parameters of its authority after a LPTV station has commenced operations. Set forth below is a summary of the Commission's decision and what we believe to be efforts needed to ensure that interests can coexist without harm to public safety operations:

- The FCC has stopped accepting applications for new analog LPTV stations in Channels 60-69.¹ New applications for these channels must only be for on-channel digital conversion for existing LPTV, TV translator, and Class A licensees or for replacement channels for analog LPTV and TV translators being displaced because another station has converted to their current channel as part of the digital conversion. Incumbent analog LPTV or translator stations cannot apply for a digital companion (transition) station on channels 60-69.

To prevent interference from proposed digital LPTV and TV translators to existing public safety operations on Channels 63, 64, 68, and 69, the FCC established a 'prior coordination' procedure. With their applications, digital LPTV or TV translators must certify that they have successfully coordinated their proposed operations with the relevant 700 MHz Regional Planning Committee(s), state licensees, and State Interoperability Executive Committees (SIECs). Successfully coordinating their proposed operations involves receiving a written coordination letter from the proper entities. It will not be enough to state that the applicant received no objections to its proposed operations.

- **What Does This Mean to the 700 MHz Regional Planning Committees (RPCs)?**

When preparing to file an application to convert from analog to digital operations on channels 63, 64, 68, or 69, LPTV stations and TV translator operators must obtain a written coordination agreement from the 700 MHz RPC in which their digital LPTV station is located as well as any RPC(s) within 75 miles of the station location. A list of the 700 MHz Regional Planning Committee Chairs or Conveners, their telephone numbers, and email addresses is available on the FCC's website at: <http://wireless.fcc.gov/publicsafety/700MHz/regchair.html>. As the individuals and information change periodically in this and other databases, we will coordinate with the Commission staff regarding how best to provide updated information.

Within 30 days after they have filed their minor change application on adjacent channels 62, 65, or 67, a LPTV or TV translator must notify any RPC within 50 miles of their location.

If a state has not established a SIEC or similar body to administer the 700 MHz Interoperability channels, or has delegated this responsibility to the RPC, the RPC will also be responsible for the coordination agreement governing these channels.

The coordination agreement may detail the conditions of the low power digital operations on the public safety channels, including provisions for cessation of broadcast operation to avoid interference. The agreement may not state that the public safety entity will accept interference from the DLPTV or TV translator.

Digital LPTV must not cause interference to public safety operations in the 700 MHz band and must cease operations as soon as they receive an interference complaint and it has been confirmed that their operations are at fault. All digital LPTV and TV translator licenses in the 700 MHz band will show this special condition.

See Appendix A for a sample coordination letter.

- **What Does This Mean to Areas Without an Active 700 MHz RPC?**

There could be instances where the 700 MHz RPC has never formed or has disbanded. In this case, the FCC suggests that the LPTV or TV translator operator work directly with the incumbent public safety licensees, which we believe includes one of the certified public safety frequency coordinators for these agencies, to obtain written approval of its proposed digital operations. A list of the FCC-certified frequency coordinators can be found at:

¹ However, the FCC continues to issue new licenses for analog LPTV applications already filed.

<http://wireless.fcc.gov/publicsafety/coord.html>.

- **What Does This Mean to the 700 MHz State Licensees?**

Co-channel LPTV stations and TV translators (63, 64, 68, 69) must obtain a written coordination letter from the state in which its station is located as well as any state whose boundary is within 75 miles of the LPTV station being converted to digital (or new displacement station). The individual who is the state's license contact will coordinate the proposed digital LPTV station against existing or planned state license deployment. A list of the State License contacts as shown on the FCC's database is included in Appendix B. Additional information can be obtained by looking up the state license call sign on the FCC's ULS database – <http://wireless.fcc.gov/uls> .

Within 30 days after filing an application, adjacent channel LPTV stations and TV translators (62, 65, 67) must notify the state in which its station is located as well as any state whose boundary is within 50 miles of the LPTV station being converted to digital (or new displacement station).

See Appendix A for a sample coordination letter.

- **What Does This Mean to the State SIEC?**

The person listed on the FCC's website as the 700 MHz Interoperability Contact will be approached by the LPTV or TV translator operator to negotiate a coordination agreement. A list of 700 MHz Interoperability Contacts is available at: <http://wireless.fcc.gov/publicsafety/700MHz/interop-contacts.html>

If there is not a state SIEC, the person listed as the 700 MHz RPC Chair/Convener is to be contacted by the LPTV or TV translator operator to obtain this written approval.

See Appendix A for a sample coordination letter.

Summary

Before filing an application to convert to digital format, an LPTV station on Channels 63, 64, 68, or 69 must coordinate with public safety and obtain written approval of this change. Incumbents on Channels 62, 65, 66, and 67 must notify public safety entities within 30 days after filing their application to convert to digital operations:

LPTV Channels	FCC Requirement	RPC	SIEC	State License Administrator
63, 64, 68, 69	Prior coordination/written consent	Any RPC within 75 miles of proposed digital LPTV station	Any SIEC within 75 miles of proposed digital LPTV station	Any state within 75 miles of proposed digital LPTV station
62, 65, 66, 67	Notification 30 days after application is filed	Any RPC within 50 miles of proposed digital LPTV station	Any SIEC within 50 miles of proposed digital LPTV station	Any state within 50 miles of proposed digital LPTV station

The Commission's commitment to public safety communications not being challenged by low power television operations is vitally important to the opportunities for improved operations that the 700 MHz band promises public safety agencies. Please call upon us if there are matters that need to be addressed. We appreciate very much the Commission's continued support of public safety communications.

Respectfully,

Vincent R. Stile, Chair
NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL
68 Inverness Lane East, Suite 204
Englewood, Colorado 80112
866-807-4755

Copy Provided to:
Ms. Donna Gregg, Chief, Media Bureau
Mr. Keith Larson, Chief Engineer, Media Bureau

APPENDIX A

SAMPLE PUBLIC SAFETY/DLPTV

COORDINATION LETTER

{Header language to the effect that ‘This Document Outlines the Coordination Agreement between Region ___/(State)/(State) SIEC, and (Digital LPTV Station (Name) (Call Sign) (Location))}

Region ___ (State)/(State) SIEC has discussed with LPTV Station (Name)(Call Sign)(Channel #), regarding its proposed conversion to digital operations on (call sign) at (location.) We agree to this conversion based on the following conditions:

(Name) (Call Sign) must cease operations immediately upon notification that those operations are causing interference to any 700 MHz public safety system implemented within Region ___/the State.

Include a map, showing detail to a county level, with a 75-mile circle drawn around the LPTV station to clearly define the States/Regions from whom coordination is required

Additional details as relevant, such as:

- **Parameters of the proposed digital LPTV station**
- **List of existing 700 MHz public safety systems**
- **List of proposed 700 MHz public safety systems**

APPENDIX B

STATE LICENSE CONTACTS

State	State License Contact	Contact #	Email	Call Sign
AK	Dean L. Strid	907-269-5744	Dean_strid@admin.state.ak.us	WPTZ767
AL	William R. Graham	334-242-4139	graham@zebra.net	WPTZ783
AR	Charles Brown	501-618-8717		WPTZ801
AZ	Curt Knight	602-223-2247		WPTZ765
CA	Tim Graves	916-657-9260	tim.graves@dgs.ca.gov	WPTZ774
CO	Richard Schmidt	303-866-2341	Richard.schmidt@state.co.us	WPTZ761
CT	Frank Aiudi	860-622-2427	Rock.regan@po.state.ct.us	WPTZ807
DC	Sherwin Bigelow	202-671-2872	Sherwin.bigelow@dc.gov	WPTZ766
DE	Richard Reynolds	302-739-9648	richard.reynolds@state.de.us	WPTZ791
FL	Bob Ferrell	850-922-7406	Kouros.bastani@myflorida.com	WPTZ787
GA	Wray Hall	404-656-2042	whall@doas.state.ga.us	WPTZ768
HI	Melvin Morris	808-586-1930	morrism@attglobal.net	WPTZ784
IA	Susan Pritchard	515-281-3175		WPTZ782
ID	James Price	208-288-4000	jroche@adm.state.id.us	WPTZ800
IL	Jeffrey Sexton	217-782-7347		WPTZ798
IN	H. Anthony Stantz	317-233-9026	dkottiowski@isp.state.in.us	WPTZ769
KS	Capt. Ken Justice	785-296-5981	kjustice@mail.khp.state.ks.us	WPTZ799
KY	Robert Stephens	502-607-1617	avalicenti@mail.state.ky.us	WPTZ806
LA	Jeya Selvaratnam	225-925-6036	rmcdonal@dps.state.la.us	WPTZ793
MA	Blair Sutherland	508-820-2264	Blair.sutherland@pol.state.ma.us	WPTZ789
MD	G. Ryan	410-767-4219	mperez@dbm.state.md.us	WPTZ805
ME	Mark Poole	207-624-7091		WPTZ810
MI	Harry Warner	517-336-6623	warnerh@state.mi.us	WPTZ773
MN	Andrew Terry	651-296-7402		WPTZ762
MO	Stephen Devine	573-526-6105	sdevine@mail.state.mo.us	WPTZ785

State	State License Contact	Contact #	Email	Call Sign
MS	Donald Loper	601-987-1322	dloper@mdps.state.ms.us	WPTZ808
MT		406-444-2700	jenhansen@state.mt.us	WPTZ809
NC	Harold Meacombs	919-733-7956	hmeacombs@nchp.org	WPTZ771
ND	Lyle Gallagher	701-328-8150	lgallagh@state.nd.us	WPTZ763
NE	Mike Jeffres	402-471-3719	mjeffres@doc.state.ne.us	WPTZ786
NH	James Kowalik	603-271-2421		WPTZ790
NJ	Raymond Hayling	609-984-6996	Raymond.hayling@lps.state.nj.us	WPTZ794
NM	Joseph Martinez	505-827-9268	Joseph.martinez@state.nm.us	WPTZ778
NV	Richard Sheldrew	775-888-7888	rsheldrew@dot.state.nv.us	WPUC245
NY	Thomas Cowper	518-443-2041		WPTZ779
OH	Paul Mayer	614-995-0063	Paul.mayer@das.state.oh.us	WPTZ770
OK	Gene Thaxton	405-425-2231	gthaxton@dps.state.ok.us	WPTZ803
OR	Merv Baker	503-540-8711	Steve.noel@state.or.us	WPTZ796
PA	Charles Leto	717-772-8024	radio@state.pa.us	WPTZ795
RI	Thomas Crotty	401-444-1185		WPTZ792
SC	Clifford Jordan	803-896-0443	fletchtj@oir.state.sc.us	WPTZ777
SD	Todd Dravland	605-773-4635	Todd.dravland@state.sd.us	WPTZ802
TN	John Johnson	615-741-3826	jjohnson@tnema.org	WPTZ797
TX		512-424-2049		WPTZ776
UT	Boyd Webb	801-538-3057	boydwebb@utah.gov	WPTZ788
VA	Paul Hoppes	804-371-5580	Phoppes.dit@state.va.us	WPTZ775
VT	Terry LaValley	802-241-5215	jwalton@dps.state.vt.us	WPTZ760
WA	Ronal Serpas	360-586-2355		WPTZ781
WI	Carl Guse	608-266-2497	Carl.guse@dot.state.wi.us	WPTZ772
WV	George Settles	304-558-5380	gsettles@wvoes.state.wv.us	WPTZ804
WY	William Smith	307-777-4440	sdover@state.wy.us	WPTZ780

	State License Contact	Contact #	Email	Call Sign
PR	Andres Rodriguez	787-724-0124	adrodriguez@aemead.gobierno.net	WPTZ852
VI	Albert Harrigan	340-774-2211		WPTZ811