

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Petition for Rulemaking to Amend the Band) **RM-11433**
Plan for the 764-776 MHz and 794-806 MHz)
Public Safety Bands)
)

To: The Public Safety and Homeland Security Bureau

**Comments
of the
International Municipal Signal Association and
International Association of Fire Chiefs, Inc.**

Pursuant to the June 16, 2008 Public Notice issued by the Public Safety and Homeland Security Bureau (“Bureau”) in the above-captioned proceeding,¹ the International Municipal Signal Association (“IMSA”) and the International Association of Fire Chiefs, Inc. (“IAFC”), by their attorneys, respectfully submit these Comments urging the Bureau to adopt a Notice of Proposed Rulemaking consistent with the Petition for Rulemaking (“Petition”) filed by the National Public Safety Telecommunications Council (“NPSTC”).

INTRODUCTION

IAFC is a voluntary, professional membership society. Its membership, comprised of approximately 13,000 senior Fire Service officials, is dedicated to the protection of life and property throughout the United States and abroad. IAFC, founded in 1873, is the major national professional association representing the interests of senior management in the Fire Service.

¹ In the Matter of Petition for Rulemaking to Amend the Band Plan for the 764-776 MHz and 794-806 MHz Public Safety Bands, *Public Notice*, RM-11433, (Rel. June 16, 2008).

The Fire Service is the largest provider of emergency response medical services in the United States.

IMSA is a non-profit organization dedicated to the development and use of electric signaling and communication systems in furtherance of public safety. IMSA's 12,000 members include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the activities pertaining to electrical engineering, including the public safety use of radio technology.

IAFC and IMSA members make extensive use of frequencies in the Private Land Mobile Radio ("PLMR") service. Together, IMSA and IAFC are recognized by the FCC as one of the four public safety frequency coordinating committees, and have responsibility for the frequencies assigned exclusively for Fire and EMS as well as the Public Safety Pool channels. Representatives of IMSA and IAFC sit on the Board of Directors of the Public Safety Spectrum Trust ("PSST") – the 700 MHz band Public Safety Broadband Licensee.

DISCUSSION

The Bureau Should Adopt a Notice of Proposed Rulemaking Regarding NPSTC's Petition

NPSTC's Petition contains five recommendations for promoting the usefulness of the 700 MHz public safety narrowband channels. NPSTC proposes retaining one of the two sets of Nationwide Interoperability Calling Channels, redesignating the other set of Nationwide Interoperability Calling Channels (681/1641 and 682/1642) as a "Nationwide Interoperability Travel Channel", relaxing use restrictions on one set of Nationwide Interoperability Data Channels to allow secondary voice communications, predesignating reserved channels for deployable trunked systems, and revising the rules regarding analog operations on low power

interoperability channels. The recommendations in NPSTC's Petition are well thought out and deserve to receive every consideration from the Bureau.²

NPSTC's call for the Commission to amend Sections 90.531(b)(3) and 90.531(b)(4) to permit analog operations on narrowband low power channels is particularly critical. The apparent inability of vocoders contained in digitally modulated two-way portable radios to reliably synthesize voice communications in the presence of background noise (non-RF) potentially creates a safety of life issue for emergency response personnel. For example, firefighters operating digitally modulated two-way portable radios in close proximity to the low-pressure alarm of their self-contained breathing apparatus have encountered unintelligible audio communications. Other common background noises, such as such as power tools, diesel engines and personal alert safety system devices also appear to affect voice intelligibility.

As NPSTC states in its Petition, an IAFC working group has been studying this issue in an effort to alert the fire service of the potential problem and ensure that agencies are fully informed when selecting equipment. An Interim Report, a copy of which is attached hereto, was released in May 2008.³ The Interim Report found that while "testing clearly identified intelligibility degradation while using either [...] digital or analog communication systems in some high-ambient noise environments" the performance of analog systems "was either statistically similar to or better than the [...] digital systems for all environments."⁴ The Interim Report noted that although testing was performed in a fire service centric manner "other public-

² Section 1.401(e) of the Commission's rules provides for dismissal of rulemaking petitions that are "moot, premature, repetitive, frivolous, or which plainly do not warrant consideration by the Commission". NPSTC's Petition is clearly none of these and should be set for hearing.

³ See IAFC, Digital Project Working Group, *Interim Report and Recommendations: Fireground Noise and Digital Radio Transmissions* (May 2008) (available online at: http://www.iafc.org/associations/4685/files/digProj_DPWGinterimReport.pdf) ("Interim Report").

⁴ *Id.* at 4.

safety agencies—such as law enforcement, EMS, federal—using digital systems incorporating the vocoders tested may face similar challenges in their operating environments.”⁵ This issue is of high importance to IAFC and IMSA and should be expeditiously set for public comment.

Further, NPSTC’s recommendation that the Commission designate reserved channels for deployable trunked systems will also serve to significantly enhance the ability to restore public safety communications in the event of catastrophic loss due to natural disasters or other events. The predesignation of trunking channels as proposed by NPSTC will support the deployment capability of public safety personnel. Although, as NPSTC indicates, additional work will be required to coordinate such systems on a nationwide basis, the Bureau should take public comment on the initial step of allocating spectrum to provide for this capability.

Finally, NPSTC’s proposals regarding the Nationwide Interoperability Calling Channel, Nationwide Interoperability Travel Channel, and Nationwide Interoperability Data Channels are relatively minor adjustments necessary to update those allocations in light of the current 700 MHz public safety band plan and should also receive the public’s consideration.

⁵ *Id.* at 5.

WHEREFORE, THE PREMISES CONSIDERED, the Bureau is urged to issue a notice of rulemaking proceeding consistent with the NPSTC's Petition.

Respectfully submitted,

International Municipal Signal Association
International Association of Fire Chiefs, Inc.

By: _____

C. Douglas Jarrett
Gregory E. Kunkle
Keller and Heckman LLP
1001 G Street, NW
Washington, D.C. 20001

Their Attorneys

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