

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

In the Matter of:	)	
	)	
Amendment of Parts 73 and 74 of the	)	MB Docket No. 08-253
Commission's Rules to Establish Rules for	)	
Replacement Digital Low Power Television	)	
Translator Stations	)	

**COMMENTS OF  
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these Comments in response to the Commission's Notice of Proposed Rulemaking regarding digital television translators. NPSTC concurs with the Commission's tentative conclusion that replacement translators should be licensed only on channels 2-59 and not on channels 60-69. NPSTC also recommends the Commission provide clarity that applications for digital replacement translator stations must take account of land mobile operations in the 470- 512 MHz band up front before being filed. Public Safety agencies in particular do not have the resources needed to routinely monitor the broadcast applications being filed or to dedicate to interference resolution after the fact, should a digital replacement translator station become authorized that conflicts with land mobile operation in the 470-512 MHz band.

## **The National Public Safety Telecommunications Council**

The National Public Safety Telecommunications Council (NPSTC) is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. NPSTC has promoted implementation of the Public Safety Wireless Advisory Committee (PSWAC) and the 700 MHz Public Safety National Coordination Committee (NCC) recommendations. NPSTC explores technologies and public policy involving public safety telecommunications, analyzes the ramifications of particular issues and submits comments to governmental bodies with the objective of furthering public safety telecommunications worldwide. NPSTC serves as a standing forum for the exchange of ideas and information for effective public safety telecommunications.

The following 15 organizations participate in NPSTC:

American Association of State Highway and Transportation Officials

American Radio Relay League

Association of Fish and Wildlife Agencies

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 Municipal Signal Association

National Association of State Chief Information Officers

National Association of State Emergency Medical Services Officials

National Association of State Foresters  
National Association of State Technology Directors  
National Emergency Number Association  
National Sheriffs' Association

Several federal agencies are liaison members of NPSTC. These include the Department of Homeland Security (the Federal Emergency Management Agency, the Office of Emergency Communications, the Office of Interoperability and Compatibility, and the SAFECOM Program); Department of Commerce (National Telecommunications and Information Administration); Department of the Interior; and the Department of Justice (National Institute of Justice, CommTech Program). NPSTC has liaison relationships with associate members, the Telecommunications Industry Association and the Canadian Interoperability Technology Interest Group.

### **Protection in the 700 MHz Band**

The Commission has tentatively concluded that replacement digital translators should not be authorized on channels 60 to 69, i.e., 746-806 MHz. NPSTC concurs with this tentative conclusion. Public safety has waited many years for the conclusion of the television digital transition so that its 700 MHz spectrum can be put to use throughout the country. Currently there are approximately forty-five 700 MHz public safety narrowband systems that have been implemented in areas where TV incumbency is not an issue. Public safety agencies in other areas anxiously await the conclusion of the digital transition and the clearing of television operations in February 2009 so they too can deploy the spectrum that was allocated to public safety over ten years ago.

It would be particularly counterproductive on the eve of the digital transition to allow licensing and operation of digital replacement translators in this spectrum that has been

reallocated for mobile use. Therefore, NPSTC applauds the Commission's tentative conclusion to prohibit licensing of digital replacement translators within 746-806 MHz, historically known as TV channels 60 to 69.

### **Protection in the 470-512 MHz Band**

Spectrum within the 470-512 MHz band (TV channels 14-20) is used by public safety in eleven markets. For example, the NYPD, the Los Angeles County Sheriff, and the Los Angeles City Police and Fire Departments, among others, rely on spectrum in the 470-512 MHz band for critical lifeline voice operations. Also, the band supports other important land mobile communications outside the public safety services. While not classed as public safety under the Commission rules, many of these operations, such as communications with power, gas and transit companies, are nonetheless essential to the safety of the public during an incident or disaster situation.

In its *Notice*, the Commission tentatively concludes that replacement digital television translator stations should be licensed with "secondary" frequency use status. These stations would not be permitted to cause interference to, and must accept interference from, full-service television stations, certain land mobile radio operations and other primary services. The Commission also references Section 74.703, 74.709 and 90.303 of its current rules.<sup>1</sup> NPSTC agrees that any replacement digital translator stations should be secondary to land mobile operations authorized by the Commission in the 470-512 MHz band. However, we are concerned that the proposed implementation may still allow replacement digital translator station applications to be processed on these channels within interference range of land mobile operations. NPSTC recommends that the Commission clarify in its rules that applications which

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<sup>1</sup> See, Notice of Proposed Rulemaking at paragraph 8 and footnote 7.

fall within interference range of authorized land mobile operations at 470-512 MHz will not be accepted for filing.

Public safety agencies' primary responsibilities are protecting the public. They simply do not have the resources to routinely monitor for public notices of replacement digital translator applications to help ensure that such operations which could cause interference to public safety communications at 470-512 MHz are not authorized. Further, these agencies do not have the resources to dedicate to interference resolution, such circumstances should be prevented by avoiding acceptance of such applications at the outset. Therefore, NPSTC recommends the Commission take steps to ensure that such applications will not be accepted.

### **Conclusion**

NPSTC appreciates the opportunity to comment in this proceeding to help ensure that the proposed authorization of digital replacement television translator stations do not result in interference to public safety and critical mobile communications. We support the Commission's tentative conclusion not to authorize replacement translator stations in the 746-806 MHz band. In addition, we recommend that the Commission ensure that applications for replacement digital translators will not be accepted for operation within interference range of authorized land mobile operations in the 470-512 MHz band.

Respectfully submitted,



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January 12, 2009