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

In the Matter of:	)	
	)	
Improving Spectrum Utilization in the	)	
800 MHz Band Between 854-861/809-816	)	RM-11572
MHz	)	
	)	

COMMENTS OF
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

The National Public Safety Telecommunications Council (NPSTC) submits these Comments in response the Commission's Public Notice seeking input on a Petition for Rulemaking by the Enterprise Wireless Alliance (EWA). EWA has petitioned the Commission to initiate a rulemaking that would allow new full power interstitial 12.5 kHz channels between the currently authorized 25 kHz channels in the 809-816/854-861 segment of the 800 MHz band.[1] EWA proposes that operations on these new interstitial channels protect operations on the existing adjacent 25 kHz channels. NPSTC supports the overall thrust of the EWA Petition and recommends the Commission move forward with an associated Notice of Proposed Rulemaking. NPSTC further recommends that the land mobile community and the Commission provide additional focus during the NPRM process on the most appropriate means of protecting operations on the current 25 kHz channels as the proposed new interstitial channels are utilized.

[1] See Petition for Rulemaking of the Enterprise Wireless Alliance, filed April 29, 2009 and the Commission's follow-up Public Notice DA 09-2183, released October 8, 2009.

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.

NPSTC Supports the Thrust of the EWA Petition

NPSTC supports provisions for new 12.5 kHz interstitial channels in the 809-816/854-861 MHz band segment for public safety and enterprise users as long as users on the current 25 kHz channels are adequately protected. Interstitual channels have been used for many years on a low power basis in the UHF 450 to 470 MHz band. Providing the potential at 800 MHz for full power channels sufficiently spaced to protect operations on the current 25 kHz channels will allow greater use of the existing spectrum allocation and provide public safety and enterprise users potentially more options to meet their operational requirements.

While modifying the rules to provide for use of interstitial channels is beneficial, NPSTC notes that it is not a substitute for new unencumbered spectrum. Applicants for the interstitial channels will need to ensure transmitter locations are sufficiently removed from existing adjacent 25 kHz operations to provide protection against interference. Therefore, it is likely that only a portion of the new interstitial channels would actually be available for use in a given market. Allowing interstitial channels, however, would be particularly beneficial for situations where

locations that are sufficiently distant to allow use of an adjacent channel, but not far enough to allow co-channel re-use. The frequency coordination process can be used to ensure the protection mechanisms adopted in any rule changes are placed into practice with minimal resource impact on the Commission.

NPSTC recommends that the Commission move forward without delay to issue a Notice of Proposed Rulemaking (NPRM) on this issue. NPSTC also recommends that the NPRM process be used to address the most appropriate mechanism to protect operations on the current 25 kHz channels. In its Petition, EWA proposes that the contour method be used by applicants for new interstitial channels to protect operations on existing adjacent 25 kHz channels. Specifically, EWA proposes to retain the 40 dBu f(50,50) standard as the definition of the protected service contour for 25 kHz bandwidth systems. Under the EWA proposal, an adjacent 12.5 kHz interstitial operation would be allowed if its 34 dBu f(50,10) interference contour does not overlap the 40 dBu f(50,50) service contour of an existing station.

Some participants in NPSTC have encountered situations in which the contour method did not provide adequate protection. Since contours are defined by the antenna height above average terrain (HAAT) between 2 miles and 10 miles from a transmitter site, anomalies in terrain outside that 2 to 10 mile range can significantly impact signal travel, causing interference potential to be either under-estimated or over-estimated.

NPSTC believes there are more accurate mechanisms with which to predict interference, but is also sensitive to the need to avoid overly-complex analysis that could cause frequency coordination and the approval of new applications to grind to a halt. Therefore, we believe the specifics of rules to ensure protection of systems on existing channels needs additional thought beyond that which can be addressed in the relatively short time since the Commission placed the EWA Petition on Public Notice. NPSTC urges the Commission to move forward with an NPRM

on the EWA Petition. We believe NPSTC, EWA, the Land Mobile Communications Council (LMCC), and other interested parties can provide additional focus on the protection issue during a follow-up Notice of Proposed Rulemaking proceeding.

Respectfully submitted,

Ralph A. Haller, Chair
National Public Safety Telecommunications Council
8191 Southpark Lane, Number 205
Littleton, Colorado 80120-4641
866-807-4755

November 9, 2009