



August 3, 2007



Ms. Marlene H. Dortch  
Secretary to the  
Federal Communications Commission  
Washington, D.C. 20554

#### Member Organizations

American Association of State  
Highway and Transportation Officials

American Radio Relay League

American Red Cross

Association of Fish and Wildlife  
Agencies

Association of Public Safety  
Communications Officials

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  
Directors

National Association of State  
Foresters

National Association of State  
Telecommunications Directors

#### Liaison Organizations

Federal Communications Commission

National Telecommunications and Information  
Administration

Telecommunications Industry Association

US Department of Agriculture

US Department of Justice

NIJ CommTech Program

US Department of Homeland Security

FEMA

Office of Emergency Communications

Office of Interoperability and Compatibility

SAFECOM Program

US Department of Interior

Re: In the Matter of Part 90 of the Commission's Rules to  
Provide for Flexible Use of the 896-901 MHz and 935-940 MHz Bands  
Allotted to Business and Industrial Land Transportation Pool, WT  
Docket 05-62.

*Ex Parte* Communication

Dear Ms. Dortch :

On behalf of the National Public Safety Telecommunication  
Council (NPSTC), this letter responds to the *ex parte* communication  
of the Enterprise Wireless Alliance (EWA) addressing access to the  
900 MHz band by public safety agencies for paging purposes. EWA  
noted its support for non waiver access to the 900 MHz Business and  
Industrial/Land Transportation (B/ILT) band for some public safety  
responsibilities requiring wireless messaging capability. NPSTC  
believes EWA's concept is a reasonable accomodation of the  
competing interests in this band provided that the Commission's rules  
recognize that all public safety eligible agencies have access to these  
channels for digital paging operations.

NPSTC reiterates that allocating paging channels in the 900  
MHz band to public safety was a core recommendation of the  
Commission's Independent Panel addressing Hurricane Katrina.<sup>1</sup> The  
comments responding to the Commission's Notice of Proposed  
Rulemaking (*NPRM*) addressing the Independent Panel's  
recommendation noted the benefits the 900 MHz B/ILT pool of  
spectrum for paging systems for disaster and other emergency  
environments. Paging systems, possessing inherent redundancy, can  
be more reliable than voice/cellular systems. Significant efficiency is  
gained by group pages transmitting critical information to alert

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Independent Panel Reviewing the Impact of Hurricane Katrina on  
Communications Networks Report and Recommendations to the Federal  
Communications Commission, at paragraph 5, page 10, In the Matter of  
Recommendations of the Independent Panel Reviewing the Impact of Hurricane  
Katrina on Communications Networks, *Notice of Proposed Rulemaking*, FCC 06-  
83, EB Docket No. 06-119 (June 19, 2006).

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thousands of units at the same time. Cost factors are another significant benefit. The Commission recognized the validity of thousand of units at the same time. Cost factors are another significant benefit. The Commission recognized the Independent Panel's recommendation by committing the Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau to review and act upon the recommendations.<sup>2</sup>

Digital paging capability in the 900 MHz band will provide meaningful assistance to public safety agencies beyond emergency medical response. The fire services need efficient means to notify responding members, particularly where agencies rely upon volunteer forces that must be summoned from work or residence. It would be counter to the Commission's history and commitment to public safety communications to limit access to particular public safety responsibilities. It would also create contradiction and vagueness across licensees as first responders often share other public safety duties. The Independent Panel, the Commission's *NPRM* and the responding comments did not recommend that access be limited.

NPSTC urges the Commission to allow public safety agencies to be licensed in the 900 MHz B/ILT band for purposes of digital paging. Public safety applicants should be subject to no conditions other than availability and normal frequency coordination parameters. The Commission's operating and general technical standards and rules should recognize and promote these paging operations.

NPSTC restates its agreement that appropriate interference protection measures be adopted by the Commission in the band. The coexistence of incompatible services operating will be promoted by these measures, including affording protection to public safety paging operations.

NPSTC appreciates EWA's effort to move this proceeding forward and the Commission's consideration of our views. Providing public safety access to paging capability in the 900 MHz B/ILT band will make a real contribution toward improving emergency response.

Respectfully,

***Vincent Style***

Vincent R. Stile, Chair  
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TELECOMMUNICATIONS COUNCIL  
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<sup>2</sup> In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks Report and Recommendations to the Federal Communications Commission, *Order* at paragraph 101, EB 06-119, WC 06-63, FCC 07-107 (June 8, 2007).