

July 31, 2019

VIA EMAIL

Scot Stone, Deputy Chief
Mobility Division
Wireless Telecommunications Bureau
Federal Communications Commission
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RE: Trunking Rules - Section 90.187/Safe Harbor Tables: Section 90.205

Dear Mr. Stone:

The Land Mobile Communications Council (“LMCC”) formed an Advisory Committee (“Committee”) of Industrial/Business (“I/B”) Frequency Advisory Committees (“FACs”) to discuss issues in the coordination of centralized trunked systems¹ on Industrial/Business (“I/B”) spectrum below 800 MHz.² The goal of the Committee was to forge consensus protocols related to engineering practices and methodology for resolving interference. Several issues were raised with regard to FAC - initiated objections about compliance with FCC Rule Section 90.187. The Committee agrees that conflicts need to be resolved prior to the issuance of a license.³ Further, coordinators will work cooperatively in this endeavor and limit engaging Commission resources.

The Committee consisted of the primary I/B FACs: American Automobile Association (AAA), Association of American Railroads (AAR), Enterprise Wireless Alliance (EWA), Forest Industries Telecommunications (FIT), Manufacturers Radio Frequency Advisory Committee (MRFAC), Utilities Telecom Council (UTC), and the Wireless Infrastructure Association (WIA). The purpose of this letter is to secure acceptance from the

¹ A system in which there is dynamic assignment of communications paths by automatically searching all communications paths in the system and assignment to a user of an open communications path within that system. Individual communications paths within a trunked system may be classified as centralized or decentralized in accordance with the requirements of Section 90.187.

² As the Committee’s discussions did not include public safety FACs and the recommendations herein are limited to I/B frequencies, this letter is not being submitted by the LMCC.

³ Given the speed with which the FCC issues licenses, it is not always possible to resolve alleged rule violations prior to license issuance. If a FAC certification results in a license that is determined to be not in compliance with the rules, the FCC has authority to initiate a revocation proceeding under § 312 of the CA or propose a license modification under § 316(a) of the CA at any time if it determines that doing so will promote public interest, convenience, and necessity. A FAC that certifies an application in non-compliance with the rules is accountable for any future interference matters that result from their application certification.

Commission staff with regard to the processing of VHF and UHF centralized trunked systems for exclusivity pursuant to Rule Section 90.187, in accordance with the Committee's findings and recommendations with regard to Rule Section 90.187:

1) Propagation Methodology

The Committee resolved to use Carey R6602 as the preferred method for calculating contours under Rule Section 90.187. However, in areas of high terrain density it was agreed that Longley Rice or other generally accepted propagation analyses are acceptable alternative models that can be used to clear frequencies that would otherwise fail a traditional Carey interfering-to-service contour analysis.

2) Protection of Mobiles Associated with Incumbent FB8

The Committee agreed that mobiles associated with FB8 stations, even those not classified as an MO8, should be protected as MO8. VHF systems present a unique challenge since it is not always possible to identify the receive/input channel associated with the FB8 fixed station. In such cases, the FAC will need to contact the incumbent FB8 licensee.

3) Mobile Only Service Radius Protection

The Committee discussed the FCC's current policy regarding I/B mobile-only systems. Most FACs deem the protection of service radii in excess of 121 kilometers, as well as countywide, statewide, and even nationwide areas of operation, as overly conservative. The Committee believes that there is sufficient guidance within existing rules for adopting a more pragmatic protection standard. For example, Rule Section 90.205 indicates that for fixed stations "*...all operations 80 km or less from the base station will be on a primary basis and all operations outside of 80 km from the base station will be on a secondary basis and will be entitled to no protection from primary operations.*" Therefore, it is the recommendation of the Committee that I/B mobile-only service radii in excess of 80 kilometers be treated on a secondary basis.

Issues also have arisen recently regarding the application of the "safe harbor" tables under Rule Section 90.205. In the past, licenses were granted based on the service areas requested, provided that they otherwise satisfied that FCC rules. More recently, applicants are required to request a specific radius from that rule, even if that radius is greater than the required operating area.⁴ This policy change means reduced spectrum efficiency since systems are being protected beyond their desired area of operation. Changing it without prior notice to FACs has resulted in application returns and

⁴ ULS File No: 0008519639 – Lehigh Portland Cement, ULS File No: 0008510134 Wyoming City School District.

dismissals with the associated administrative inefficiencies for the applicants, FACs and the FCC. The Committee requests the FCC to return to its prior interpretation of the safe harbor rules, which will promote our mutual objective of the efficient issuance of licenses that place I/B spectrum to good use for the benefit of the American public.

We look forward to hearing from Commission staff regarding these requests, and we are willing to discuss further at the FCC's convenience. Questions regarding these matters may be directed to David Smith, 541.485.8441; dave@landmobile.com.

Respectfully submitted,

American Automobile Association
Association of American Railroads
Enterprise Wireless Alliance
Forest Industries Telecommunications
MRFAC
Utilities Telecom Council
Wireless Infrastructure Association

cc (via e-mail):
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Mike Regiec