

February 19, 2004

Mr. Norbert Schroeder  
Strategic Spectrum Planning and Reform Division  
National Telecommunications and Information Administration  
1401 Constitution Avenue, NW, Room 4082  
Washington, D.C. 20230

Reference: National Forum on Public Safety Spectrum Management

Dear Mr. Schroeder:

Thank you for the opportunity to submit comments in response to issues raised in the national forum. In this letter, I will respond to three of the four focus issues discussed at the forum.

*Issue 1 – Determining Spectrum Requirements*

We support the concept discussed during the National Forum that public safety spectrum requirements should be identified through a periodic review using a process similar to the Public Safety Wireless Advisory Committee (PSWAC). The PSWAC report was submitted to the Federal Communications Commission (FCC) and NTIA in 1996, completing the work of various studies over a period of several years. The report can be found on the NTIA Web site at address:

[http://ntiacsd.ntia.doc.gov/pubsafe/publications/PSWAC\\_AL.PDF](http://ntiacsd.ntia.doc.gov/pubsafe/publications/PSWAC_AL.PDF)

Further, I'd like to offer a suggestion to promote better interoperability between federal and state/local government cooperators. Today, the FCC requires that a state/local government entity obtain a radio station license which specifically identifies the operating parameters authorized under a Memorandum of Understanding (MOU) between an NTIA authorized federal government radio station licensee, such as the Department of Agriculture, U.S. Forest Service and a local cooperator. In order to obtain the license, the governmental entity must first apply to a certified frequency coordinator for coordination approval to file the FCC license application, the wait literally months (sometimes as long as two years) for a license. The coordination expense can result in billable work costing several hundred to thousands of dollars depending on the complexity of the license.

The applicable FCC Rule Section is 47CFR90.173(c), which permits licensing of federal frequencies under such conditions, but does not waive the requirement to obtain an FCC license. 47CFR90.175 further requires applications to be coordinated in order to secure an FCC license. However, operation of the radio equipment is still governed by the federal agency's MOU with the entity, probably "over and above" operational and technical requirements stipulated by the FCC license.

It is my understanding that when a federal agency secures a MOU with a state/local government cooperator permitting the federal agency to use the FCC-assigned channels of the local entity, the NTIA *does not* require the federal agency to obtain a Radio Frequency Authorization from the Interdepartmental Radio Advisory Committee.

The current FCC regulatory process unnecessarily complicates the process to execute a frequency sharing agreement, which can be essential to emergency communications and serves to limit, rather than promote interoperability.

Certainly, we do enough to limit interoperability by various agencies and governmental entities purchasing new communications systems employing equipment and technologies that are inherently incompatible such as trunking systems or digital radio systems. We should carefully re-evaluate the need for this regulatory "overhead" in the present licensing process, and attempt to eliminate any requirements for duplication of authorizations to talk between our respective organizations using wireless systems to the extent we can.

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I urge that the FCC adopt the same process for authorizing use of federal frequencies by state and local governmental entities that the IRAC does to permit federal agencies to operate on frequencies assigned to local government.

### *Issue 2 – Spectrum Management Process*

We do not think the idea of assigning public safety spectrum management to a single entity: NTIA, FCC, or even a new, independent agency makes sense. Certainly, there is some synergy to be achieved by such a process, but the assignment of spectrum for federal agencies is going to always be unique. The process of combining the assignments of federal, state, and local government entities under a single agency would be extremely difficult given the difference in the nature of the radio system operations of each.

However, I do believe there is a greater role for the NTIA to play in spectrum management. Today, the FCC requires state/local governmental entities who apply for a license to submit their application after a “frequency coordination” has been approved by a *certified* frequency coordinator. The same process will apply for commercial and business licensees, but the coordinators are different. For public safety, the certified coordinators are: the Association of State Highways and Transportation Officials (AASHTO), the Association of Public-Safety Communications Officials, Inc. (APCO), the International Municipal Signal Association **CONFIRM** (IMSA), and the Forestry, Conservation Communications Association (FCCA). While each of the certified coordinators has their own training and slightly different review processes, their objectives are essentially the same: to recommend the best available frequency for a governmental or quasi-governmental entity (such as volunteer fire associations) while protecting the operation of existing radio system licensees.

We believe the NTIA can help improve the frequency coordination process of the coordinators by either providing or facilitating frequency coordination training for the four organizations. This training would be on an annual or bi-annual basis, and would have representatives of the various agencies meet and attend training *together*. Not only would common training help to improve the coordination process, but the concept of the various coordinators and their staff(s) training together should help improve the communication, both formal and informal, between the organizations.

The NTIA currently trains federal agency spectrum managers, and, we understand, provides similar training for representatives of foreign governments. While the training we propose would not be exactly the same as current NTIA courses, I am confident NTIA could bring a healthy, independent perspective to the training process. We urge you to consider the role Commerce could play in improving the FCC’s current spectrum management process without actually taking over the process entirely.

### *Issue 3 – Spectrum Efficiency and Beneficial Use*

My comments here again reflect a concern that federal regulatory processes unnecessarily obstruct how well we can encourage more spectrally efficient use of existing radio channels. I previously outlined how a state or local governmental entity obtains an FCC license through a certified frequency coordinator.

My own agency will soon be ready to implement “narrowband” operations in the 150 MHz band. However, our FCC licenses specify “20K0F3” 5 kHz emission on 25 kHz channels. We propose to move to narrowband (11K2F3E) emissions on 12.5 kHz channels while remaining on the same channels, with no other changes in technical parameters.

We do not propose to change channel(s), effective radiated power, etc. And certified coordinators should all obtain current coordination information from a *current* FCC license database.

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The limiting factor here is the cost of frequency coordination. We suggest the FCC implement a process to allow direct filing by applicants of updates to the licensing database through their "Universal License System" that will allow licensees to essentially reduce their system operating parameters by implementing narrowband emissions, thus freeing up some spectrum – even to a limited extent. Otherwise, we can simply move to narrowband operation with appropriate license (not recommended) or continue our current 25 kHz operation until we obtain funding to file some 160 plus licenses for frequency coordination necessary to implement narrowband use. The cost will likely be upwards of \$35,000.

We hope the process might be simplified to help motivate licensees to implement narrowband operations in a timelier manner.

Thank you for considering our comments. We look forward to the outcome of these proceedings.

Sincerely,

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Missouri Department of Conservation

National Frequency Coordinator  
Forestry, Conservation Communications Association (FCCA)