

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Redesignation of the 17.7-19.7 GHz Frequency)
Band, Blanket Licensing of Satellite Earth Stations) IB Docket No. 98-172
in the 17.7.20.2 GHz and 27.5-30.0 GHz Frequency)
Bands, and the Allocation of Additional Spectrum in)
the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency)
Bands for Broadcast Satellite-Service Use)

To: The Commission

**COMMENTS OF
THE COUNTY OF LOS ANGELES**

The County of Los Angeles, California (the "County") hereby submits the following comments in response to the Commission's Notice of Proposed Rulemaking, FCC 98-235, released September 18, 1998, in the above-captioned proceeding regarding segmentation, sharing, and reallocation of portions of the 18 GHz frequency band.

The County is the licensee of extensive networks of private operational fixed microwave facilities that link critical facilities throughout its jurisdiction. Included within these networks are 39 licensed 18 GHz links. The County's microwave network provides the "backbone" for its public safety mobile radio systems by linking together dispatch centers and the numerous transmitter sites needed to cover the County's 4,000 square miles of extremely varied terrain. The County's also uses microwave for highly reliable, cost-efficient communications links between Sheriff's stations, Fire Department locations, hospitals, jails, courthouses, public works facilities, and telecommunications centers. Microwave is the only acceptable method for linking many of these widely dispersed sites.

Wireline alternatives are far more expensive and, moreover, do not provide adequate reliability, especially in the Los Angeles area due to its susceptibility to earthquakes, wildfires, and other natural disasters.

The Commission is now proposing to make substantial changes in the fixed service allocations in the 18 GHz band. The County strongly opposes the Commission's proposal for two reasons. First, the County is concerned with the potential for interference to its current operations from new satellite services in the 18 GHz band. Its microwave facilities carry critical public safety communications, and cannot tolerate any potential for harmful interference. Second, the Commission's proposals would substantially reduce the availability of spectrum in the 18 GHz band for future fixed microwave operations.

Fixed services are currently co-primary in the frequency bands from 17.7-19.7 GHz. Under the Commission's proposal, fixed service ("FS") will become secondary in two bands, 18.3-18.55 GHz and 18.8-19.3 GHz. While existing fixed service licenses in those bands (which would include the County) will be "grandfathered" under the proposal, there are serious questions raised regarding the potential for interference to incumbents, as more fully described in the comments of the Fixed Wireless Communications Coalition (FWCC). In addition, the Commission itself suggests that new satellite services in the band may be susceptible to interference from grandfathered fixed microwave services. This leads the Commission to inquire whether incumbents could be forced to relocate and, if so, under what conditions.

Under no circumstances should incumbents, especially public safety incumbents, be forced to relocate from the 18 GHz band. The County previously lost access to the 12

GHz band to accommodate DBS, and more recently was forced to relocate all of its 2 GHz microwave links as a result of the Commission's reallocation of that band for PCS and other new technologies. While the cost of that relocation has been borne by PCS licensees, the relocation process has been extremely time consuming and disruptive to the County's communications systems and operations. The County should not be required to go through that process again. Furthermore, while the County was barely able to secure replacement frequencies for its 2 GHz links, no such replacements are apparent for its 18 GHz operations. Many of these paths are too short to meet Commission guidelines for lower bands which, in any event, are also at full capacity in most of the Los Angeles area.

If the Commission nevertheless proceeds to permit forced relocation of fixed service incumbents, it must be pursuant to a negotiation process as adopted in ET Docket 92-9 with regard to the 2 GHz bands. While not perfect, that process at least permits for a more orderly relocation and ensures that new users of the spectrum pay all of the direct and indirect relocation costs. Relocation must also be expressly contingent upon there being comparable replacement frequencies available that are acceptable to the incumbent. Existing licensees must not be forced to relocate if there is no place to go.

Aside from the impact on existing 18 GHz operations, the County is deeply concerned that the Commission's proposals will close off meaningful opportunities for additional public safety microwave systems in the band. The Fixed Wireless Communications Coalition has determined that the Commission's proposal would reduce spectrum availability for fixed services in the 18 GHz band by more than 50%. The County and other public safety agencies in Los Angeles and throughout the nation need continued access to microwave spectrum for future facilities. For example, the Los

Angeles County Sheriff's Department is planning a new digital mobile radio system, which is expected to require additional transmitter sites and microwave connections to those sites.

The most significant public safety requirement for microwave in Los Angeles will occur in 2006, when the 24 MHz allocated for public safety mobile systems in the 700 MHz band becomes available.¹ At that point, pent-up demand for public safety radio spectrum is expected to result in a rapid development of wide area 700 MHz radio systems throughout the region. Because of the limited range of 700 MHz operations, many transmitter sites will be required to cover each public safety agency's area of jurisdiction. All of those sites will require microwave backbone. Normally, the 2 GHz or 6 GHz band would be the first choice to provide those microwave links. However, because of the reallocation of the 2 GHz bands for PCS and other emerging technologies, and the extreme spectrum congestion in the 6 GHz band, higher frequencies such as 18 GHz will be heavily relied upon. Placing restrictions on future microwave operations at 18 GHz, therefore, would inhibit the development of critically needed public safety mobile systems.

¹ In many areas of the nation, some or all of the 24 MHz is available now. However, existing and interim digital television stations will delay use of this spectrum until 2006 in Los Angeles.

CONCLUSION

The County urges that the Commission not take any action in this or other proceedings that would (i) further reduce availability of fixed microwave spectrum for public safety operations, or (ii) endanger the long-term viability of existing systems.

Respectfully submitted,

COUNTY OF LOS ANGELES

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