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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

02-55

December 20, 2001

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

In Re: Resolution of CMRS Interference to 800 MHz Public Safety Systems

Dear Mr. Chairman:

For decades, our organizations have represented America's leading industrial enterprises in spectrum-related matters before the FCC and other Federal Government agencies. Collectively, the members of our associations operate as utilities (water, electrical and gas), railroads, pipelines, petroleum and chemical companies, airlines, manufacturers (automobiles, aircraft, machinery, etc.), package delivery carriers, agricultural interests and virtually every other form of business venture now being conducted within the United States. It is safe to say that our members represent the heart and soul of American industrial productivity.

We write to you today on behalf of these interests in reference to the plan submitted by Nextel Communications, Inc. ("Nextel") to realign the 800 MHz band in order to reduce the amount of interference that Nextel systems are causing public safety and other private wireless licensees, many of which have their own fire, medical, and security departments and mutual aid agreements with nearby communities.[1] As the Commission develops its initial proposals on this matter, it must understand that ***FCC adoption of the proposals contained in the Nextel White Paper would be an unmitigated disaster from an operational and financial standpoint for America's industrial, transportation and utility sectors.*** If adopted as Nextel proposes, this interference solution will disrupt the provision of mission-critical communications and impose billions of dollars of costs on American businesses to relocate operational communications systems that are not causing any interference to public safety operations.

Please recognize that our associations are very supportive of public safety's need for interference free communications and any equitable FCC efforts to minimize public safety interference. Our preliminary view, however, is that alternative solutions must exist that do not pose the same hardships on private wireless users. We therefore urge the Commission to fully explore remedies such as filtering and greater reliance on

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[1] *Promoting Public Safety Communications: Realigning the 800 MHz Land Mobile Radio Band To Rectify Commercial Mobile – Public Safety Interference And Allocate Additional Spectrum To Meet Critical Public Safety Needs*, Nextel Communications, Inc., ET Docket Nos. 00-258 and 95-18, IB Docket No. 99-81, WT Docket No. 99-87, (submitted November 21, 2001) (hereinafter "*Nextel White Paper*").

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frequency coordination to better address what, to date, has been an interference problem caused principally by Nextel. While frequency swaps may be necessary to resolve interference situations, we are not convinced that private wireless systems must be unilaterally evicted from the 800 MHz band. Our organizations are fully engaged with our memberships and will provide the Commission with specific recommendations in the coming weeks.

To help illustrate our point and to remind the FCC of the mission-critical nature of many private wireless applications, we ask that you please consider the following as a small sampling of existing 800 MHz private wireless systems that would be forced to absorb relocation costs should the Nextel plan be adopted:

- ***Federal Express Corporation:*** FedEx has invested more than $100 million for its nationwide 800 MHz internal communications system used to coordinate its package-delivery couriers as well as to provide maintenance and security ground support to aircraft and to assist in the loading and unloading of aircraft and trucks. The current system supports more than 40,000 mobile units with approximately 750 base stations. It is estimated that a replacement system in either the 700 MHz or 900 MHz bands would cost FedEx at least $100 million.

- ***ARINC:*** ARINC has recently unveiled a new digital service at nine airports that is based on Motorola's IDEN technology. The new system is integrated with ARINC's existing nationwide and global communications, networks to support all ground operations including baggage handling, maintenance and airport security. There are plans to install the system at all of ARINC's major domestic and international airports in the near future. ARINC has already invested $13 million for its digital system, which could not be retuned to operate in either the 700 MHz or 900 MHz bands. ARINC further estimates that there is approximately $1 million in embedded invested infrastructure at each of the remaining top 50 airports. Each of these systems supports between 3,000 and 5,000 mobile radios, which have an additional cost of $600 to $1,000 per radio. Therefore, ARINC estimates the total impact of relocating the airline's 800 MHz systems at more than $160 million.

- ***American Electric Power Company:*** American Electric Power Company (AEP) operates one of the largest private radio 800 MHz trunked systems in North America. Covering approximately 200,000 square miles in parts of eleven states, AEP's system offers radio coverage in many areas where commercial wireless service is not available and is therefore vital to maintaining the safety of life and property in AEP's service territory. Using more than 258 trunked radio tower sites, this network is used by AEP's internal distribution and transmission crews to perform service and restoration work on electrical transmission and distribution systems. AEP estimates that it has invested approximately $100 million in this wireless infrastructure.

Combined, these three users alone estimate total relocation costs amounting to over $350 million. As we acquire additional data from the hundreds of other affected licensees, it is clear that the total cost of relocating displaced 800 MHz incumbent users will exceed several billion dollars. We emphasize that these costs would be imposed on users that 1) are not causing any interference to public safety systems and 2) have also assumed additional safety-related responsibilities since September 11, 2001. Indeed, the protection of critical infrastructures, which has been a significant focus of recent Congressional and the Executive Branch activities, is an effort that would be seriously harmed through the implementation of this proposal as submitted.

Our great concern is that Nextel is trying to unfairly solve an interference problem of its own making at the expense of private wireless users. While we pledge to work with public safety, Nextel and the FCC to help resolve cases of interference, we look forward to the development of a more balanced and equitable solution that recognizes that the wholesale disruption to 800 MHz band private wireless systems threatens this nation's economy and the protection of its workers and citizens.

Respectfully Submitted,

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