EASTMAN

Eastman Chemical Company
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May 2, 2002

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

Reference: Notice of Proposed Rulemaking (WT-02-55) Improving Public Safety Communications in the 800 MHz Band

Eastman Chemical Company is a leading international chemical company with more than 13,772 employees and contractors working in our United States manufacturing facilities. Eastman produces more than 1,000 chemicals, fibers and plastics and is the world's largest supplier of polyester plastics for packaging; a leading supplier of coatings raw materials, specialty chemicals and plastics; and a major supplier of cellulose acetate fibers and basic chemicals. With worldwide headquarters located in Kingsport, Tennessee, Eastman Chemical is one of the top 10 global suppliers of custom-manufactured fine chemicals for pharmaceuticals, agricultural chemicals, and other markets. Principal manufacturing facilities in the United States are in Arkansas, South Carolina, Tennessee, Texas, and Wisconsin. Collectively, these key sites are using 3,550 radios operating on 57 800 MHz radio frequencies distributed between five 800 MHz trunked radio systems. Eastman also uses several 800 MHz conventional radio systems. These systems serve as our primary means of communication to coordinate daily work activities in our manufacturing facilities, as well as to coordinate safety and emergency response activities within each plant and with the local Police, Fire, and EMS organizations.

Our financial investments in the 800 MHz communication systems have been substantial and have been carefully planned over the past 20 years. Our goal in providing wireless communications is to insure that Eastman personnel have adequate means to communicate effectively during work activities to enhance employee safety as well as to work efficiently. The proposed

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reallocation of the 800 MHz spectrum is a serious matter to Eastman Chemical Company. We are concerned that the proposed solutions to the Public Safety interference issue which promote the relocation of the Business and Industrial/Land Transportation (B/ILT) incumbents in this band could result in significant negative financial and operational impact to Eastman Chemical.

Just as reallocation to other bands is a very expensive proposition, the proposed solution of migration to "public radio networks" has the potential to negatively impact the health and safety of our personnel in the event of an emergency. Historically, during public emergency situations (hurricanes, tornadoes, floods), commercial "shared" systems are not designed to handle the influx of incoming/outgoing calls, let alone support the unique needs of emergency response that our chemical plants require. Private voice radio systems, however, have a proven track record for being available during emergencies and providing the type of support required to insure that employees, as well as our surrounding communities, are minimally impacted.

For these key reasons, Eastman Chemical Company strongly opposes Nextel's proposal to the FCC that promotes reallocation of the 800 MHz spectrum but does not provide private enterprises access to same spectrum resources, which have proven to be so critical to our daily and emergency operations. We appeal to the Federal Communications Commission to move cautiously and to thoroughly consider the needs of private enterprises, particularly those companies whose work activities involve the handling of hazardous chemicals and materials. Like Eastman Chemical Company, these enterprises rely heavily on privately managed 800 MHz trunked radio systems to provide optimum communication in this unique work environment. Further, it is our hope that technical solutions will be explored to reduce interference to the Public Safety networks, as well as the networks of private enterprise, that is often created by the Commercial Mobile Radio Service providers. If technical solutions are not deployed, then it is our opinion that CMRS providers, the entities who have created the interference issues, should bear the burden of the remedy, not private enterprise nor Public Safety entities. Public Safety entities, as well as private industry, are vital to the health and safety of our communities and our economy.

Eastman Chemical Company respectfully appeals to the Federal Communications Commission to adopt remedies that protect private industry and Public Safety entities from harmful interference. Because this problem was not created by incumbent private industry or Public Safety entities, the burden to remedy the situation via financial means should rest solely with those new entrants who are creating the harmful interference.

Contact at Eastman Chemical Company is Butch Brock. He can be reached at 423-229-5042.

Respectfully,

Jerry B. Hale
Vice President and Chief Information Officer
Eastman Chemical Company