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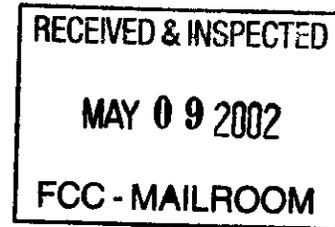
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April 30, 2002

Mr. William F. Caton
Office of the Secretary
Federal Communications Commission
445 12th Street, SW – Room TW-A325
Washington, DC 20554



Re: WT Docket No. 02-55

Dear Mr. Caton:

I enclose an original and four copies for filing in the above-captioned proceeding, along with an extra (File Copy) which we request you have time-stamped and returned to these offices in the enclosed, self-addressed, postage-prepaid envelope.

Kindly contact the undersigned if there are questions regarding this transmittal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Curtis T. White".

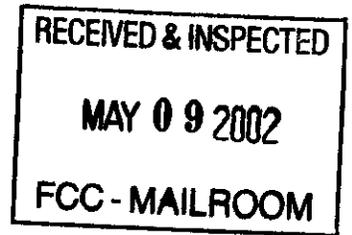
Curtis T. White

cc: Veronica Y. Fauntleroy, Esq.
Michael J. Wilhelm, Public Safety & Wireless Div., FCC
Qualex International

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554



In the Matter of)
)
Improving Public Safety Communications in the)
800 MHz Band)
)
Consolidating the 900 MHz Industrial/Land)
Transportation and Business Pool Channels)
_____)

WT Docket No. 02-55

COMMENTS OF EAST BAY MUNICIPAL UTILITY DISTRICT

East Bay Municipal Utility District (interchangeably “District” or “EBMUD”), pursuant to the Commission’s rules, hereby offers preliminary and initial comments in the above-captioned Rule Making, released by the Commission on March 15, 2002 and published in the Federal Register on April 5, 2002.

In doing so, the District wishes to note that it has been an active participant in numerous FCC proceedings involving the 900 MHz band, including (among others) the omnibus MAS proceeding in WT Docket No. 99-87, RM-9705, 15 FCC Rcd 22709 (1999), and WT Docket No. 97-81 (Amendment of Commission’s rules regarding MAS systems). Its long-standing participation is driven by the fact that EBMUD – as a publicly owned utility – is charged with the statutory obligation to efficiently manage water resources and supplies throughout its 325 sq. mile service area. The District relies heavily on its authorized spectrum and FCC licensed facilities to discharge its responsibilities under the law. Moreover, and because its systems operate at or near full capacity, it has undertaken a multi-million dollar effort to begin a facilities upgrade,

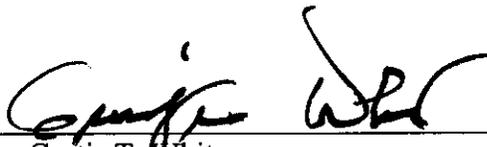
which, necessarily, requires it to fully consider all options for increasing capacity and efficiency while also maintaining system integrity.

As part of this effort, EBMUD is conducting an internal audit of system operations (including loading, capacity and proposed modifications). Because that internal audit will not be complete until after the May 6, 2002 Initial Comment phase, the District anticipates its more comprehensive comments (as may be relevant) will be reserved for the Reply phase. Notwithstanding, EBMUD seeks through this filing to urge the Commission to fully consider the services provided by and needs of critical infrastructure industry licensees (CII), and that it avoid the promulgation of any rule or procedure that causes undue harm to incumbent licensees – especially CII licensees.

WHEREFORE, the premises considered, EBMUD urges the Commission to avoid the adoption of any rule or requirement that causes harm to CII licensees.

Respectfully submitted,

EAST BAY MUNICIPAL UTILITY DISTRICT

By: 

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