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King County Regional Communications Board

c/o Alan Komenski, Chairperson
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September 23, 2003

Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 02-55 under DA 02-2202

The King County Regional Communications Board (KCRCB) is pleased to have this opportunity to provide comment on the so-called “consensus plan” filed under WT Docket No. 02-55, which is now out for further comment under DA 02-2202. King County is the most populous county in Washington State (approximately 1.7 million population) and the center of the economic vitality for the Puget Sound region and the state. The KCRCB is an interlocal joint board composed of King County, the City of Seattle, the Eastside Public Safety Communications Agency, and Valley Communications Center. Collectively, these entities own and operate a countywide 800 MHz trunked radio system (using “806”, “809” and “821” or NPSPAC spectrum) that provides services to over 13,000 police, fire, emergency medical and government service radios across our 2,200 square mile area. The region also has other 800 MHz voice and data systems operated by other governmental entities (such as our port authority and the State’s Department of Transportation) that we need to interoperate and coordinate with in the delivery of our various public services.

The KCRCB has been closely monitoring the proceedings in this Docket and participating in Project 39 and other related activities. Our trunked radio system has been experiencing an

increasing number of interference problems from commercial wireless sites, most often Nextel sites. While the work we have done with Nextel and other carriers has usually been able to provide some mitigation of individual problem locations, these efforts do not seem to be getting us any closer to an overall systemic solution that will meet our needs in the long run. Instead, the modifications the carriers make (such as lowering transmitter power, changing antenna patterns, changing frequencies, etc.) appear to be changes they aren't interested in sustaining for the long term due to the impacts they have on their service delivery interests. We have also had experiences where changes made at a commercial site to resolve a problem with one of the multiple 800 MHz systems in our region results in a problem being created for one of the other systems.

The KCRCB believes that the re-banding proposed in the "consensus plan" will significantly contribute to the mitigation or elimination of the current interference problems in the 800 MHz band and we support its further consideration, perfection and adoption. While careful frequency planning, pre-licensing coordination, consistent dialog and cooperation among licensees and other prospective measures will also be needed to assure as interference free an environment as possible in this band, the placement of similar system architectures in a contiguous band of spectrum appears to us to be an effective tool for much of the interference we are experiencing.

We are concerned however that to date a detailed strategy for how to deal with the Canadian border sharing areas has not been developed. The vast majority of King County's population and boundaries lie within sharing Region 5, and the Puget Sound area which makes up the bulk of the population in the State of Washington is similarly in this sharing region. The commonality between US and Canadian channel spacing, licensing restrictions and designated mutual aid frequencies in the "NPSPAC" band has proven to be an effective mechanism for getting the maximum utilization of this spectrum in our very challenging terrain and border configuration. If the US now moves the "NPSPAC" band down to the lower end of the 800 MHz band we will lose this commonality and suffer potentially adverse consequences.

One obvious consequence will be the loss of common interoperability channels in the "NPSPAC" band. Jurisdictions on both sides of the border are implementing these

interoperability channels to improve joint operations in the border areas. These implementations will be further complicated if the US “NPSPAC” channels are down in the 806 to 809 range but the Canadian counterparts are still up in the 821 to 824 range. Further, incumbent Canadian systems in the lower end of the band would be operating under current channel spacing and licensing limits (25 kHz channels on 25 kHz spacing) while the US side would be moving the “NPSPAC” block (25 kHz channels on 12.5 kHz spacing) down to that end. We believe this will create significant complexity in determining channel assignments for the transplanted “NPSPAC” band occupants and not be possible with a simple one-for-one swap. Our border and terrain configuration with Canada already makes frequency coordination on both a primary and secondary basis very challenging.

This concern is exacerbated by the fact that the current non-NPSPAC channels assigned for public safety use in Region 5 are different than the rest of the country. Consequently our system, and others in the Puget Sound region, utilizes a mix of “806”, “809” and “821” channels. This will greatly increase the complexity of not only establishing band plans for the border areas but also determining specific channel assignments for systems such as ours, and developing migration strategies that will not result in a loss of capacity or functionality.

We do not assert that the Canadian border issues should prevent the “consensus plan” from moving forward in further consideration and perfection. In fact, we would encourage the US and Canada to work together to accomplish consistent band utilization strategies in both the 800 MHz and 700 MHz bands so the best possible utilization can be achieved on both sides of the border. We would also recommend that no re-banding under this proposal take place in the border area, or a similarly sized swath of area that borders the border area, until procedural and coordination issues can be resolved with Canada. Without taking this action, we fear that the border areas may get squeezed between re-banded US users and an unchanged Canadian situation and end up with a net loss of useable spectrum in our already congested situation.

We also would only support a re-banding effort if there were no net loss of spectrum for public safety. While this is the stated intent of the “consensus plan”, and indeed the plan appears to meet or exceed this intent, we are concerned that the border challenges mentioned above may

make it very difficult to accomplish this in the border area. We would recommend that some form of joint US-Canadian interdisciplinary team of both FCC, Industry Canada and local public safety systems such as our own, be assembled and funded immediately to begin working on these issues. Since our view is that the Canadian border challenges could make or break this undertaking, committed resources and work effort are needed to deal with the wide range of technical and diplomatic issues.

We are also concerned about the cost in both hard dollars and opportunity in conducting this re-tuning of our system. For reasons noted above, our system and the incumbent systems in Region 5 will likely bring the maximum number of challenges possible. There will be considerable prospective work on the band plan itself, the work the Regional Planning Committee will need to do to transplant the “NPSAC” assignments, interaction and coordination with Canada, re-coordination and re-licensing, technical planning for the re-tune work itself, and multiple re-programmings and re-tunings of infrastructure and subscriber equipment to get to the final configuration. While we have not yet done a formal estimate of this cost (and will not do so until a final plan is established so we don’t waste our time and money) we believe the costs will be significant. While the “consensus plan” does identify the initial pool of \$500 million to fund this work, we have our doubts that this amount will be sufficient to meet the nationwide re-banding effort.

We absolutely support the concept that the funding for this re-banding effort needs to come from someplace other than our local taxpayers. They have already invested in this system once and don’t plan on replacing it for quite some time. While this re-banding may be necessary to resolve the interference problems being experienced, these interference problems are not of our making, and our taxpayers should not be burdened with resolving it. We support a funding mechanism that will absolutely allow all affected government operated systems to meet the re-banding requirements with no out-of-pocket costs for all aspects of the work effort (planning, engineering, coordination, licensing, execution, etc.).

Further, we would recommend that the Canadian border sharing areas, and a similarly sized swath bordering this border area, not be tackled until full funding has been identified and

reserved for the work in that region. If this is not done, we fear that the border region might get squeezed between a re-banded area to the south of us and no change in Canadian utilization or approach to the north of us. This may have the potential to make our already challenging spectrum management situation ever more complicated or impossible.

We look forward to working with all involved parties on continued efforts to resolve this problem.

Sincerely,

Kevin Kearns
Vice Chair, KCRCB