Tuesday, February 11, 2003

Duquesne Light Company
2833 New Beaver Avenue
Pittsburgh, 15233

Federal Communications Commission
Office of Secretary
445 12th Street S.W.
Washington, D.C. 20554

Re: **Docket WT-02-55**

Dear Sir:

In the matter of **WT-02-55** now before the Commission, Duquesne Light Company wishes to file these comments in opposition to this petition. First, is the issue of the lack of consideration of critical infrastructure communications in the petition under consideration by the Commission. The critical infrastructure communications include, but are not limited to, electric utilities, natural gas transmission and distribution, and water companies.

In order of importance, electric utility communications is second only to public safety communications. This is due to the fact that everyone requires electricity to function routinely and properly. Public safety personnel would be unable to perform their affairs for very long without electricity to power their communications systems. Most public safety, other utilities and cellular telephone networks have less than 8 hours of emergency power capability.

Most other utilities also depend on the electric company to provide power so that they can function properly. Natural gas transmission & distribution companies might not be able to properly monitor or control their systems without reliable power which could prevent detection of a gas line rupture or the ability to shut off the flow of gas. Most, if not all water systems use electrically driven pumps to maintain water pressure at acceptable levels throughout their systems. Maintaining water pressure during a disaster can be critical due to the possibility of fires. If power is out for more than 8 hours, public safety agencies as well as other utilities will begin to have their operations negatively impacted. In severe cases, this negative impact on operations could result in the loss of life and property that could be substantial in the case of natural gas explosions or fires that cannot be controlled or extinguished due to insufficient water pressure.

Additionally, hospitals that provide treatment for anyone injured during a natural disaster or terrorist attack would need lost power restored quickly as well as a reliable source of water and this also dependent on electricity. Therefore, any proposal that fails to include

utility only spectrum to support critical infrastructure communications is unacceptable. We recommend that three to five megahertz of spectrum on the 800 MHz band be reserved for utilities critical infrastructure communications. Failure to include this provision is just poor planning that could have catastrophic results for those directly affected during a 9-11 type of event.

The second issue that I find with this proposal is the freezing of all licensing activities on the 800 MHz band. To do this would be counter-productive to the evolution of the constantly changing communications landscape. There are no substantial benefits to be gained by this freeze, if as Nextel has stated this plan will eliminate all of the interference to public safety communications. On the other hand, if this freeze is really necessary, then the Commission should take a closer look at this proposal to ensure it will really provide all the interference relief to public safety that is promised.

In closing, let me say that any 800 MHz proposal considered by the FCC that does not make these provisions for critical infrastructure communications by dedicating a utility only spectrum on the 800 MHz band should be rejected.

James K. Andrews
Telecommunications Engineer
Duquesne Light Company