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## King County Regional Communications Board

c/o Alan Komenski, Chairperson  
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February 10, 2003

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

Re: WT Docket No. 02-55 under DA 03-19

The King County Regional Communications Board (KCRCB) is pleased to have this opportunity to provide comment on the "Supplemental Comments of the Consensus Parties" (Supplemental Filing) filed under WT Docket No. 02-55, which is now out for comment under DA 03-19. King County is the most populous county in Washington State (approximately 1.8 million or 29% of the State's 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 14,000 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 APCO's 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. It is our belief that the proposals in the Supplemental Filing are the next step in continuing to move us towards a band plan that will meet the long-term interests of public safety entities.

Given the mix of 800 MHz channels we use to meet our system capacity needs, we are concerned that the re-banding effort proposed in the Supplemental Filing may result in a net loss of useable spectrum for our area. Since King County lies virtually entirely within Border Sharing Region 5, our system makes extensive and successful use of Canadian primary NPSPAC channels (Channels 601 to 714, or 866.0125 to 867.4875) on a secondary basis by meeting the power flux density protections of §90.619(c)(3). Under the band plan proposed in Appendix G-4 of the Supplemental Filing, these channels would remain as Canadian primary channels and presumably continue to be useable in the border sharing regions. However, using these channels to meet our capacity needs would put us in spectrum that would be sandwiched between SMR uses above and below, likely continuing our interference problems. We would also be prevented from enjoying some of the other benefits that could be gained by the re-banding in the rest of the country.

One of the benefits of re-banding all public safety channels to the lower end of the 800 MHz band is to allow future migration to tighter receiver design specifications that could make beneficial use of both the 700 MHz and 800 MHz public safety bands, while also adding protection from non-public safety uses higher in the 800 MHz band. In our case at least, we would need to continue to make extensive use the Canadian primary channels on a secondary basis to meet our overall spectrum needs, and thus would not

benefit from future equipment refinements. Further, if significant areas of the country along the Canadian border will similarly not enjoy a contiguous band at the lower end of the 800 MHz band, the manufacturing community would have a disincentive to even manufacture tighter-spec radios.

We therefore would encourage the Commission to pursue rules modifications substantially the same as those in §90.619(c)(3) to be applied to the 15 MHz of Canadian Primary spectrum (854.75 to 862.25) as well as the NPSPAC spectrum. It is our belief that this secondary use was anticipated and would be allowable under the exchange of letters between the U.S. and Canada titled *Addendum to Interim Arrangements Concerning the Use of Certain Frequency Bands in the Range 806-960 MHz*, but was only codified in FCC rules for the NPSPAC band.

The KCRCB strongly supports the continued use of Regional Planning Committees (RPCs) as outlined in the Supplemental Filing. The experiences to date in trying to maximize the efficiency of spectrum distribution, particularly in the border areas, has given these committees invaluable experience that will be useful in planning the transition of the 800 MHz band as envisioned by the Consensus Parties. They also possess a strong and contemporary awareness of the current deployment of public safety 800 MHz spectrum outside the NPSPAC band and this too will be beneficial in the efforts ahead.

But the success of the regional planning approach can no longer be left to the volunteer efforts of the engaged public entities, particularly for something as complicated and intense as the re-banding proposed in the Supplemental Filing. While the entities that make up the KCRCB have consistently been strong participants in our regional planning efforts (Region 43), we are increasingly finding that our combined situation of economic challenges and security uncertainty are requiring us to put more of our staff efforts on our own operational needs, making less time available for them to participate in regional processes. It is our view that developing an effective band-plan and migration strategy in the complex border areas will require numerous technical, procedural and perhaps political issues be addressed and resolved to make the effort a success.

Therefore, the KCRCB strongly supports the need for a national pool of experts and funding to work with the RPCs and the affected system operators as they undertake the re-banding efforts. These need to be people and resources that can do the hard work of inventorying systems, understanding spectrum relationships, evaluating the unique terrain and topography of the area and helping establish technically and operationally competent migration strategies that work for the unique situations of each Region and each system operator. The RPCs are very good at bringing past knowledge to bear on a problem, and providing review, critique and perfecting comments to work done by others. But Committees on their own can't do this work effectively, and left to their own resources, we will see staggered and inconsistent results across the country.

The KCRCB also strongly supports Region 43 being among the first fourteen (14) regions to be migrated to the new band plan. We don't think Region 43 should be the first, but we do believe that by tackling the complex border areas at the start of the process, there will be a higher likelihood of national success as the migration process spreads across the country.

We are concerned that there are still a large number of unanswered questions about how border area Interoperability will be handled. It is important to note that the ICALL (channel 601) and two of the ITAC channels (639 and 677) are in the Canadian primary portion of the NPSPAC band and only two of the ITAC channels (715 and 753) are US primary. The band plan outlined in Appendix G-4 of the Supplemental Filing would create a situation where the goal of five consistent mutual aid channels shared by the US and Canada along the border would be compromised. While it is our belief that workable strategies can likely be found within the re-banding concepts outlined in the Supplemental Filing, they will take hard work and energy, at both the regional and international scale, to resolve. This further reinforces the need to establish and fund a dedicated team of knowledgeable technical and operational experts to staff this work and refine and perfect it with the border region RPCs.

We close by again affirming our overall support for the Supplemental Filing moving us forward to the next stage of resolution of the interference problems in this band. There is clearly a lot of hard work ahead of us, and considerable further work needs to be done to meet the collective concerns that we and other Commenters will express in this proceeding. What is needed now is good, consistent, funded work programs to distill all the views and facts into a strategy that provides the best public benefit. We look forward to working with the Commission and the expert groups and processes that are established to support this re-banding effort.

Sincerely,

Alan Komenski  
Chairperson