

# 800 MHz User Coalition

**Presentation to  
Commissioner**

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**November 10, 2003**

# 800 MHz User Coalition

- ◆ Close to 60 signatories and supporters, including representatives from Public Safety; electric, gas and water utilities; large business and industrial users; SMR licensees; equipment manufacturers; and the commercial wireless community.

# The “Consensus Plan” Proposal Is Unworkable

- ◆ Too complex and too lengthy
- ◆ No guarantee of interference resolution
- ◆ No long-term solution – separating “like” from “unlike” assumes no future change
- ◆ No guaranteed funding over life of process
- ◆ Inequitable treatment of licensees based on outmoded type categories
- ◆ High risk for Public Safety and FCC

# The “Consensus Plan” Proposal is Legally Infirm

- ◆ Violates the well-established policies underlying Section 309(j) of the Communications Act and would circumvent the Commission’s standard license assignment process
- ◆ Does not qualify under the applicable law as either a channel swap or a license modification
- ◆ Requires the Commission either to improperly ignore its statutory obligations or to illegally use its Section 316 authority to “trump” its Section 309(j) obligations
- ◆ Violates terms of original Fleet Call waiver request

# 800 MHz User Coalition – A Forward-looking Solution

- ◆ More immediate, more effective, less disruptive and less costly for Public Safety
- ◆ Interfering party pays to fix interference
- ◆ Guarantees elimination of current interference problems *and* prevention of future interference
- ◆ Treats all licensees fairly; permits all licensees to migrate to advanced technology as desired
- ◆ Solution within 800 MHz band
- ◆ No legal infirmities

# Balanced Approach Proposal

## I. Resolve Existing Interference Quickly

- Specific, short timeline for consultation, analysis and resolution
- CMRS, CI licensees offer technical expertise to assist – good faith required of complainant
- Enhanced mitigation techniques – expands on Best Practices by building on successful approaches, adding other technical measures, new technology fixes
- Interfering party *must* resolve, *must* pay for resolution, including any necessary steps (frequency swaps, equipment replacement)

# Balanced Approach Proposal

- ## II. Prevent Future Interference (proactive)
- Updated technical rules – better engineering makes all systems compatible (Coalition has provided specific recommendations)
  - Detailed notification, coordination requirements involve other licensees prior to possible problem
  - Improved equipment (see, e.g., Motorola filings) to reduce problem over long term

# Balanced Approach Proposal

## III. Long-term Review of Process

- Independent consultant working with committee of stakeholders
- To begin immediately, testing efficacy of mitigation procedures
- Consideration of other resolution/prevention methods *if necessary*, including funding mechanism

# Balanced Approach is Better Spectrum Policy

- ◆ Private market agreements meet local needs of parties
- ◆ Flexibility in spectrum use encourages shared systems, advanced technology (efficiency) and interoperability among emergency responders
- ◆ No funding uncertainties
- ◆ This band is too important to *all* users – FCC must not over-regulate, create spectrum backwater of old technology
- ◆ FCC should not spoil 1.9 GHz spectrum

# Recent Developments

- ◆ Growing Public Safety support for coalition
  - 22 Public Safety signatories and growing
  - Numerous filings in support
- ◆ Growing Public Safety skepticism of “Consensus” plan
  - Multiple letters opposing “Consensus” plan
  - Ongoing discussions/negotiations with Public Safety
  - APCO chapters concerned with Nextel plan
- ◆ Kane Reece study demonstrating net gain to Nextel of \$6.5 billion from the “Consensus Plan”
- ◆ Motorola filing detailing \$2.3 billion cost to replace handsets