

EX PARTE OR LATE FILED



VILLAGE OF MILLERSBURG

6 North Washington Street
Millersburg, Ohio 44654
(330) 674-1886
Police Department (330) 674-5931
Income Tax (330) 674-6891
FAX (330) 674-9044
www.millersburgohio.com

Les Roach, Mayor

Andrew Jones, Village Administrator
Karen Shaffer, CMC, Village Clerk – Treasurer

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S. Thomas Vaughn
Police Chief

ORIGINAL

October 27, 2003

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street SW Room TW A-325
Washington DC 20554

Re: Ex Parte Notice – WT Docket 02-55

Honorable Madam:

We commend the Commission for addressing interference in the 800 megahertz (MHz) band that some public safety agencies have encountered. At the same time, we are concerned serious consideration is being given to the “cure” of band reconfiguration proposed by some interests.

This solution, in our view, would be worse than the existing problems of the system. We refer specifically to the Consensus Parties plan. This plan would provide additional bandwidth to public safety communications while requiring large-scale relocation at great expense, regardless of reimbursement, and much time and unnecessary effort.

Public safety interference has occurred largely in densely populated urban areas. This is where the solution should be applied through effective notification, prevention, communication, cooperation and mitigation among licensees. These measures would be supplemented by utilizing technology, private industry assistance and accepted best practices. In short, operators and licensees which cause interference should be held responsible for fixing the problem. This is the fair and equitable approach rather than a broad approach that causes unnecessary disruption and expense, not to mention likely drawn-out litigation.

Another important point warrants comment. The Consensus Parties plan would freeze all requests of non-public safety users, such as public utilities, to seek additional bandwidth. This restriction would make it impossible for public utility companies to expand their radio systems to fill in coverage gaps. In rural areas where gaps exist, a freeze would impair the ability of utilities, in particular, to communicate effectively during emergency like storm-related outages.

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Ms. Marlene Dortch
October 22, 2003

The Village of Millersburg appreciates the opportunity to share our concerns with the Commission. We would like to be notified of the official action taken by the Commission for the important topic. Thank you for this opportunity to comment. Again, whatever rules the Commission adopts, any impairment of utility communications systems is likely to have a direct effect on public service agencies.

Very Truly Yours,
The Village of Millersburg

Les Roach
Mayor

LR/mmg

cc: Mr. David Wheeler, AEP