

Re: WT Docket 02-55

Dean Brothers Publishing dba Fryer's TowerSource ("Fryer's") hereby makes comments to the captioned rule making, which comments could not have been made previously given that the commenting parties had not expressed their various positions on this matter. Accordingly, Fryer's respectfully submits these comments and suggestions in an effort to assist the Commission and the commenting parties in reaching the goals expressed within the NPRM.

Background

Fryer's TowerSource is the leading manager, collector and distributor of site data relevant to the operation of antenna supporting structures throughout the United States. Since 1990, Fryer's has diligently amassed data regarding the identity and characteristics of towers and rooftop facilities and prides itself on its ownership of data regarding over 220,000 tower and rooftop sites which are presently employed by carriers for the operation of both narrow and broadband equipment of all types.

Fryer's clients and subscribers have included major and regional carriers, utility companies, industrial operators, public safety entities, tower operators, site acquisition firms, Wall Street investment firms, engineering firms and other persons interested in locating with precision various sites throughout the nation. Agencies of the federal government have been frequent subscribers and Fryer's has worked diligently to provide that information required by those agencies to add to emergency preparedness, system design, and expansion of existing architecture. Chosen by an independent panel of experts as the best on-line site location tool for two years, Fryer's has been pleased to serve the entire industry in developing, homogenizing and reporting accurately numerous fields of data regarding each of its more than 220,000 sites listed. Fryer's has recently partnered with the Personal Communications Industry Association (PCIA) to provide customized data retrieval for its membership and the carrier market at large. Both Fryer's and PCIA see this as the first step toward forming a common data platform for the industry not unlike the MLS system at work in the real estate sector. In PCIA's view the industry could greatly benefit in speed-to-market and operating efficiencies as a result of the partnership. A similar agreement is in the works with the National Association of Tower Erectors (NATE) with implementation planned for Spring of 2004.

Fryer's data is accessed through Autodesk Map Guide, the most sophisticated mapping software available for site acquisition and data. With little effort, a person may quickly log on to www.TowerSource.com and do required searches to obtain the exacting data necessary for any wireless project. The flexibility and versatility of the Fryer mapping and searching software combined with the comprehensive nature of its extensive data is unequalled either in the private or public sector.

We would, therefore, suggest that Fryer's considerable expertise in the area of data collection, management, warehousing and distribution of same might be applied in assisting the Commission in meeting its goals and objectives within this rule making.

Need For Site Information Management

A number of commenting parties, including both UTC, CTIA and SBT, have recommended that information regarding the location of cell sites and 800 MHz public safety systems be collected and made available for both cellular carriers and public safety entities. We agree that such information may be quite valuable to affected parties who require this information for the purpose of avoiding harmful interference and resolving such interference when it might arise. Although we take no position on the long-term solutions advocated by commenters regarding the means by which harmful interference might best be resolved in the future, it is apparent that the problems suffered by all parties could be addressed more readily with better information. Such combined information would provide a platform for dialogues, reporting incidents of outages, and examining methods of interference resolution which information could be shared by all.

We note that this information is not presently available from the Commission. Given the Commission's geographic licensing of cellular and ESMR systems, many cell sites have been constructed without any public notification of the existence of these sites. Thus, adversely affected public safety entities are left to wonder as to the source of newly discovered interference and may expend valuable time in needing to research the location of offending facilities and the identity of the licensee of such systems.

Additionally, although cellular operators may or may not maintain a data base that identifies the location of public safety entities' systems, the lack of a central data warehouse and clearing facility may impede cellular operators' personnel in their ability to review the presence of public safety systems and the effect that cell construction may have on those systems.

Further, the utility companies, transportation companies, local SMR operators, and others that continue to employ analog 800 MHz systems should also have made available to cellular carriers relevant information regarding their repeaters. By providing this information to cellular carriers, those carriers would be better equipped to engage in careful system design and channelization plans that would be designed to avoid or remedy harmful interference rapidly.

Therefore, it appears that all affected parties would benefit greatly by the creation and certification of a centralized clearinghouse of 800 MHz site information, which can be accessed by persons requiring such information to responsibly construct, operate, and cooperatively provide services to the public. Fryer's submits that it is well positioned and willing to provide such services to the industry as a fully neutral entity that is best equipped to provide such services as a natural adjunct to its present data base.

Fryer hastens to point out that the primary function of its services, identifying all antenna supporting structures and the owner/operator of such structures, is a valuable element of its proposal. By combining its present data to the 800 MHz information, Fryer's is able to provide information regarding not only the operator of a cell site or affected system, but the identity of the owner of the tower or rooftop upon which the system operates. This additional information provides persons with the ability to contact a site owner and seek that person's cooperation as well in quickly addressing problems of interference.

Data Source Is Necessary

Regardless of whether the Commission decides to support rebanding or technical solutions to the problems of interference at 800 MHz, the data collection/distribution function is vital to achieving both the agencies long-term and short-term goals. Within the NPRM the Commission requested comments on ways to reduce incidents of interference immediately and over time. We strongly believe that such efforts to reduce interference require a greater sharing of information among affected operators. A review of the Best Practices Guide confirms the industry's belief in information sharing, as the first function called for within the Guide is to quickly collect data from the parties. If, however, such data was already collected and available, the cooperating parties could move more rapidly and efficiently in resolving incidents of interference. Perhaps of even greater importance, the availability of such information would allow persons to take greater notice of the existence of other systems and provide to carriers the opportunity to design more carefully new cells sites to avoid interference.

Fryer's, therefore, believes that as a portion of this rule making and in an effort to allow affected parties the opportunity for "data dialogue" the Commission should appoint and certify Fryer's as the clearinghouse of such information. Fryer's stands ready to work with all 800 MHz licensees to achieve a level of responsiveness to inquiries and data additions, which will provide the information that is vitally necessary to achieving a more cooperative use of the 800 MHz band.

Costs to develop, manage, and provide this function would be shared by cellular, ESMR, and geographically-licensed carriers in a reasonable manner by applying such costs to each in accord with the total number of cells sites operated by each entity and the level of additions or modifications made to such data over time. There would be no cost to site-based licensees, including public safety entities. Instead, Fryer's would apply that information which is already available via the Commission's data base and would augment that information with further data deemed necessary and collected via direct inquiries to each site-based, 800 MHz licensee. Additionally, Fryer's is prepared to provide necessary security to prevent the distribution of information to persons other than licensees operating systems within a designated radius of a given site or within a designated, discreet geographic region.

Conclusion

Fryer's is uniquely positioned to offer a comprehensive, cooperative, neutral, and effective means of collecting and distributing site data to assist in relieving interference at 800 MHz. Since Fryer takes no position as to the Commission's eventual decision regarding the proposed methods of resolution, it cannot be found that Fryer's advocates any data management system which is intended to benefit any commenter to this proceeding. To the contrary, Fryer's proposes to assist all affected parties, in both the short and long term, in an unbiased manner. To those ends, Fryer's envisions the creation of an 800 MHz Data Collection Advisory Panel, consisting of members drawn from CTIA, UTC, PCIA, APCO, Nextel and ITA. In bringing together these divergent parties, each of which has well articulated their respective interests in assuring a cooperative and useful outcome to this proceeding, Fryer's believes that it will receive necessary input and guidance that will insure the success of this effort.

The Commission may well see the importance and effectiveness of adopting this proposal as a portion of this proceeding. By making available this information without taxing the resources of the agency, while maintaining the security and proprietary nature of carrier information, the Commission will add an important element to its effort to combat harmful interference at 800 MHz in a manner that all parties deem necessary and important, the sharing of necessary information. Therefore, we urge the Commission to consider carefully our proposal herein and respectfully request adoption of this proposal, naming Fryer's TowerSource as the clearinghouse of this information for the shared benefit of all 800 MHz operators and the public.