

**NEW YORK**



WAYNE E. BENNETT  
SUPERINTENDENT

NEW YORK STATE POLICE  
BLDG. 22, 1220 WASHINGTON AVE  
ALBANY, NEW YORK 12226-3257

October 28, 2003

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment  
*ExParte*, WT Docket No. 02-55

Dear Ms. Dortch:

The New York State Police operates an 800 MHz trunked radio system providing critical public safety communications for public safety personnel. Like many other law enforcement agencies, we are following the Consensus Plan for 800 MHz realignment with interest.

First responders in New York and across the Nation are increasingly at risk because their public safety radio communications are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders vitally need for radio communications. The Plan is supported by many groups including the Association of Public-Safety Communications Officials-International, Inc.; the International Association of Fire Chiefs, Inc. and International Municipal Signal Association; the International Chiefs of Police, the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. We also support this plan. The FCC should adopt the Consensus Plan in its public safety spectrum rulemaking, WT Docket No. 02-55.

The Consensus Plan offers a near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems, allocates additional spectrum for public safety needs, provides private funding to compensate licensees that may need to relocate to new channels as a result of the Plan, and ensures that all affected licensees receive equivalent replacement spectrum as part of the spectrum reallocations called for by the Consensus Plan.

Ms. Dortch

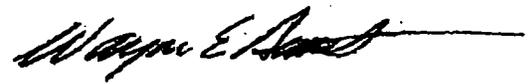
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October 28, 2003

Section 1 of the Communications Act of 1934, provides that the FCC is to "promot[e] safety of life and property through the use of wire and radio communication." The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan.

I request that the FCC resolve this issue facing the public safety community and adopt the terms of the Consensus Plan.

Sincerely,



Wayne E. Bennett  
Superintendent



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

RANDY A. DANIELS  
SECRETARY OF STATE

November 3, 2003

Chairman Michael Powell  
Federal Communications Commission  
445 Twelfth Street, N.W.  
Washington, D.C. 20554

Dear Chairman Powell:

On behalf of New York State fire departments, I would like to bring to your attention an important issue that profoundly impacts our country. The issue is public safety radio interference – a problem in desperate need of a solution. Public safety communications systems including those used by fire departments and commercial wireless operations are located on adjacent and intermingled channels in the 800 MHz spectrum band. The problem: the technologies used by public safety and commercial wireless are incompatible with one another as neighbors. The result: dangerous interference, which causes garbled communications and prevents public safety officials from doing their jobs.

The Consensus Plan, currently under consideration at the Federal Communications Commission, would realign the current jumbled licensing of 800 MHz systems into separate blocks of spectrum for public safety and cellular wireless carriers. By implementing this plan, public safety interference will be virtually eliminated. Also, public safety will receive additional spectrum for future communications needs. Perhaps equally important, the Consensus Plan will be implemented at no cost to the American taxpayer.

The Consensus Plan is the only proactive and comprehensive solution to the dangerous problem of public safety interference. Please support New York's fire departments and implement the Consensus Plan without delay.

Thank you in advance for your consideration.

Sincerely,

James Burns  
State Fire Administrator

JAB/bg



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

RANDY A. DANIELS  
SECRETARY OF STATE

November 7, 2003

The Honorable Steny H. Hoyer  
United States House of Representatives  
1705 Longworth House Office Building  
Washington, D.C. 20515-2005

Dear Representative Hoyer:

On behalf of the New York State Fire Departments, I am writing to draw your attention to a subject of increasing importance and concern to the firefighter community, and to ask you, as a strong friend of all firefighters and their advocate in Congress, to help get this issue resolved. The issue is the radio interference at 800 MHz, which hampers our ability to communicate at critical times, and to obtain extra 800 MHz spectrum to meet our critical needs. This is a need which significantly affects our nation and you would do a tremendous service to your fellow firefighters if you could get this done.

Many public safety agencies utilize dedicated channels on the 800 MHz spectrum frequency. Commercial wireless operations are located on adjacent interleaved bands. These two technologies are incompatible when they are placed close together and operate next to each other. As a result, incidents of interference are increasing and will continue to increase as the needs of public safety and private wireless companies increase. The problems which occur as a result of the interference are significant and in need of resolution. More than ever, in a post 9/11 environment, public safety communications cannot be compromised or subject to this type of interference.

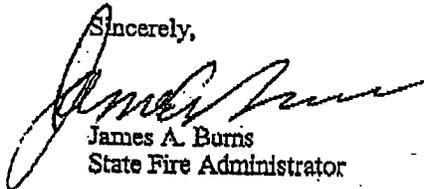
Radio interference is always a problem when rapid and reliable communications are needed. Surely you can appreciate the problems which can occur when fire fighters can't communicate and how much more efficiently everything can operate when they can. This is truly a matter of life and death in the State of New York.

The International Association of Fire Chiefs (IAFC), along with all of the major public safety organizations, including the International Association of Chiefs of Police, the Major City and County Sheriff's Associations, and Association of Public Safety Communications Officials (APCO) and commercial wireless operators have crafted a "Consensus Plan" to virtually eliminate public safety interference and provide much needed additional spectrum for public safety, all at no cost to taxpayers. This plan is the result of many months of discussions and represents the combined efforts of a host of public safety (both firefighter and law enforcement) entities to resolve interference and obtain additional spectrum.

This problem does not require legislation. The Consensus Plan is now under consideration at the Federal Communications Commission (FCC) and will be decided upon shortly. The Consensus Plan is very good for first responders.

We need your leadership in writing, and circulating for as many signatures as possible, a letter on behalf of the Congressional Fire Caucus to the FCC indicating the Caucus' strong support for the Consensus Plan and to call for the FCC to approve it so rebanding can occur and radio interference can be eliminated.

Sincerely,



James A. Burns  
State Fire Administrator



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

November 7, 2003

RANDY A. DANIELS  
SECRETARY OF STATE

The Honorable Charles B. Rangel  
United States House of Representatives  
163 West 125th Street, Suite 737  
New York, NY 10027-4404

Dear Representative Rangel:

On behalf of the New York State Fire Departments, I write to draw your attention to a subject of increasing importance and concern to the firefighter community, other public safety providers and emergency personnel. The issue is radio interference at 800 MHz, which hampers our ability to communicate at critical times, and to obtain sufficient 800 MHz spectrum to meet our critical needs. This is a need which significantly affects the State of New York and our nation.

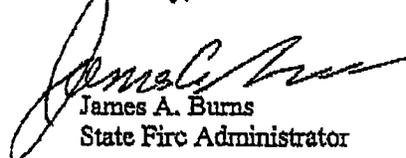
Many public safety agencies utilize dedicated channels on the 800 MHz spectrum frequency. Commercial wireless operations are located on adjacent interleaved bands. These two technologies are incompatible when they operate next to each other and are placed this close. As a result, incidents of interference are increasing and will continue to increase as both the needs of public safety and private wireless companies increase. The problems which occur as a result of the interference are significant and in need of resolution. More than ever in a post 9/11 environment, public safety communications cannot be compromised or subject to interference.

Radio interference is always a problem when rapid and reliable communications are needed. Surely you can appreciate the problems which can occur when fire fighters can't communicate and how much more efficiently everything can operate when they can. This is truly a matter of life and death in the State of New York.

The International Association of Fire Chiefs (IAFC), along with all of the major public safety organizations, including the International Association of Chiefs of Police, the Major City and County Sheriff's Associations, and Association of Public Safety Communications Officials (APCO) and commercial wireless operators have crafted a "Consensus Plan" to virtually eliminate public safety interference and provide much needed additional spectrum for public safety, all at no cost to taxpayers. This plan is the result of many months of discussions and represents the combined efforts of a host of public safety (both firefighter and law enforcement) entities to resolve interference and obtain additional spectrum.

This problem does not require legislation. The Consensus Plan is now under consideration at the Federal Communications Commission (FCC) and will be decided upon shortly. The Consensus Plan is definitely good for first responders. I and the New York State firefighter community ask that you contact the FCC prior to November 14 and indicate your support for the plan and urge their approval so that rebanding can occur and radio interference can be eliminated.

Sincerely,



James A. Burns  
State Fire Administrator



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

November 7, 2003

RANDY A. DANIELS  
SECRETARY OF STATE

The Honorable Curt Weldon  
United States House of Representatives  
2466 Rayburn House Office Building  
Washington, D.C. 20515-3807

Dear Representative Weldon:

On behalf of the New York State Fire Departments, I am writing to draw your attention to a subject of increasing importance and concern to the firefighter community, and to ask you, as a former Fire Chief and all firefighters' representative in Congress, to help get this issue resolved. The issue is the radio interference at 800 MHz, which hampers our ability to communicate at critical times, and to obtain extra 800 MHz spectrum to meet our critical needs. This is a need which significantly affects our nation and you would do a tremendous service to your fellow firefighters if you could get this done.

Many public safety agencies utilize dedicated channels on the 800 MHz spectrum frequency. Commercial wireless operations are located on adjacent interleaved bands. These two technologies are incompatible when they are placed close together and operate next to each other. As a result, incidents of interference are increasing and will continue to increase as the needs of public safety and private wireless companies increase. The problems which occur as a result of the interference are significant and in need of resolution. More than ever, in a post 9/11 environment, public safety communications cannot be compromised or subject to this type of interference.

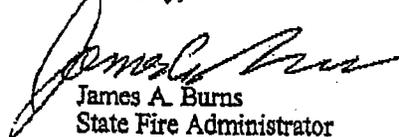
Radio interference is always a problem when rapid and reliable communications are needed. Surely you can appreciate the problems which can occur when fire fighters can't communicate and how much more efficiently everything can operate when they can. This is truly a matter of life and death in the State of New York.

The International Association of Fire Chiefs (IAFC), along with all of the major public safety organizations, including the International Association of Chiefs of Police, the Major City and County Sheriff's Associations, and Association of Public Safety Communications Officials (APCO) and commercial wireless operators have crafted a "Consensus Plan" to virtually eliminate public safety interference and provide much needed additional spectrum for public safety, all at no cost to taxpayers. This plan is the result of many months of discussions and represents the combined efforts of a host of public safety (both firefighter and law enforcement) entities to resolve interference and obtain additional spectrum.

This problem does not require legislation. The Consensus Plan is now under consideration at the Federal Communications Commission (FCC) and will be decided upon shortly. The Consensus Plan is very good for first responders.

We need your leadership in writing, and circulating for as many signatures as possible, a letter from the Congressional Fire Caucus to the FCC indicating the Caucus' strong support for the Consensus Plan and calling for the FCC to approve the plan quickly so rebanding can occur and radio interference can be eliminated.

Sincerely,



James A. Burns  
State Fire Administrator

**FIREMEN'S ASSOCIATION OF THE STATE OF NEW YORK**  
Representing the Volunteer Fire Service, both active and exempt, since 1872

December 1, 2003

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment Ex  
Parte, WT Docket No. 02-55

The Firemen's Association of the State of New York (FASNY) represents more than 100,000 volunteer rank and file firefighters and EMTs in the state. Our membership is the first line response and primary users of 800MHz systems for public safety communications. We respectfully request that our view be heard.

First responders in New York and across the Nation are increasingly at risk because their public safety radio communications are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also urgently need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions. Fortunately, a solution is available.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders urgently need for radio communications. We support the Consensus Plan along with the Association of Public-Safety Communications Officials-International Municipal Signal Association; the International Association of Chiefs of Police, the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. The FCC must adopt the Consensus Plan expeditiously in its public safety spectrum rulemaking, WT Docket No. 02-55.

The Consensus Plan offers the only real, near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems, allocates additional spectrum for public safety needs, provides private funding to compensate licensees that may need to relocate to new channels as the

result of the Plan, and ensures that all affected licensees receive equivalent replacement spectrum as part of the spectrum swaps called for by the Consensus Plan.

Other proposals that have been made to the FCC fall far short and must be rejected. The UTC/cellular "plan" ignores the problems faced by public safety communicators and suggests that case-by-case, after-the-fact solutions could be found once interference manifests itself. Responding only after-the-fact to the problems affecting time-critical public safety services is not acceptable, since a single interference incident can jeopardize the lives of emergency personnel and the citizens they serve.

Section 1 of the Communications Act of 1934, provides that the FCC is to "promote safety of life and property through the use of wire and radio communication". The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan. There is no reason for the FCC to postpone action any further.

We urge the FCC to resolve the issues facing the public safety community expeditiously and adopt in full the terms of the Consensus Plan.

Sincerely,

**Joseph Finnegan**

Joseph Finnegan, President

(LOGO)

New York State  
Association of Fire Chiefs

November 10, 2003

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment  
*Ex Parte*, WT Docket No. 02-55

Dear Ms. Dortch:

The New York State Association of Fire Chiefs represents Public Safety Personnel across New York State. Our membership is made up mostly of Emergency Planners/Managers, Fire Officers, Firefighters, Fire Police and Emergency Medical Services (EMS) Responders. We are actively following this vital proceeding for public safety and request that our views are considered.

First responders in New York State, and across the Nation are increasingly at risk because their public safety radio communications systems are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also urgently need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions. Fortunately, a solution is available.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders urgently need for radio communications. We support the Consensus Plan along with the Association of Public-Safety Communications Officials-International, Inc.; the International Association of Fire Chiefs, Inc. and International Municipal Signal Association; the International Association of Chiefs of Police, the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. The FCC must adopt the Consensus Plan expeditiously in its public safety spectrum rulemaking, WT Docket No. 02-55.

November 10, 2003

Page 2

The Consensus Plan offers the only real, near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems. It allocates additional spectrum

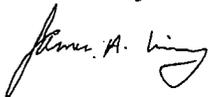
for public safety needs, provides private funding to compensate licensees that may need to relocate to new channels as the result of the Plan. It also ensures that all affected licensees receive equivalent replacement spectrum as part of the spectrum swaps called for by the Consensus Plan. Our only concern is that there needs to be consideration of additional equipment costs (if any) not covered in the Plan.

Other proposals that have been made to the FCC fall far short and should be rejected. The UTC/cellular "plan" ignores the problems faced by public safety communicators and suggests that case-by-case, after-the-fact solutions could be found once interference manifests itself. Responding only after-the-fact to the problems affecting time-critical public safety services is not acceptable, since a single interference incident can jeopardize the lives of emergency personnel and the citizens they serve.

Section 1 of the Communications Act of 1934, provides that the FCC is to "promote safety of life and property through the use of wire and radio communication." The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan. There is no reason for the FCC to postpone action any further.

We urge the FCC to resolve the issues facing the public safety community expeditiously and adopt in full the terms of the Consensus Plan.

Yours truly,



James A. King,  
President

Cc: New York State Congressional Delegation

"Providing Service to Those Who Serve"

1670 Columbia Turnpike \* P.O. Box 328 \* East Schodack, NY 12063-0328  
Phone (518) 477-2631 FAX (518) 477-4430 \* [www.nysfirechiefs.com](http://www.nysfirechiefs.com)



# NEW YORK STATE ASSOCIATION OF P.B.A.s

Formerly known as Metropolitan Police Conference

Albany Office - 111 Washington Avenue, Room 406, Albany, NY 12210-2207 / 518-465-1141 / Fax 518-465-3048  
Suffolk County Office - 868 Church St. Suite 1, Bohemia, NY 11716-5040 / 631-563-4200 / Fax 631-563-4204  
Administrative Office - 23 Reynolds Road, Glen Cove, NY 11542 / 516-609-2732 / Fax 516-676-3956

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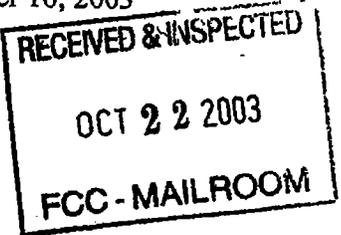
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Certified Public Accountants  
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October 16, 2003

**ORIGINAL**



Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment  
*Ex Parte*, WT Docket No. 02-55

Dear Ms. Dortch:

On behalf of the New York State Association of PBAs, an association representing more than fifty labor support organization comprising 40,000 law enforcement officers, we wish to advise you of our support regarding the above consensus plan.

First responders in New York State and across the nation are increasingly at risk because their public safety radio communications are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also urgently need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions. Fortunately, a solution is available.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders urgently need for radio communications. We support the Consensus Plan along with the Association of Public-Safety Communications Officials-International, Inc.; the International Association of Fire Chiefs, Inc. and International Municipal Signal Association; the International Association of Chiefs of Police; the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. The FCC must adopt the Consensus Plan expeditiously in its public safety spectrum rule-making, WT Docket No. 02-55.

MAILED 147765

The Consensus Plan offers the only real, near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems, allocates additional spectrum for public safety needs, provides private funding to compensate licensees that may need to relocate to new channels as the result of the Plan, and ensures that all affected licensees receive equivalent replacement spectrum as part of the spectrum swaps called for by the Consensus Plan

Other proposals that have been made to the FCC fall far short and must be rejected. The UTC/cellular "plan" ignores the problems faced by public safety communicators and suggests that case-by-case, after-the-fact solutions could be found once interference manifests itself. Responding only after-the-fact to the problems affecting time-critical public safety services is not acceptable, since a single interference incident can jeopardize the lives of emergency personnel and the citizens they serve.

Section 1 of the Communications Act of 1934, provides that the FCC is to "promot[e] safety of life and property through the use of wire and radio communication." The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan. There is no reason for the FCC to postpone action any further.

We urge the FCC to resolve the issues facing the public safety community expeditiously and adopt in full the terms of the Consensus Plan.

Sincerely,



Jeffrey Frayler  
President

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
)  
Improving Public Safety Communications )  
in the 800 MHz Band ) WT Docket No. 02-55  
)  
Consolidating the 900 MHz Industrial/ )  
Land Transportation and Business Pool )  
Channels )

To the Commission:

EX PARTE  
COMMENTS  
OF THE  
NEW YORK STATE OFFICE FOR TECHNOLOGY  
STATEWIDE WIRELESS NETWORK

November 18, 2003

1. The New York State Office for Technology, Statewide Wireless Network (SWN), submits the following comments in support of the August 7, 2003 **Ex Parte Submission of the Consensus Parties** in the above-captioned proceeding. With 441 licenses in the 806-824/851-869 MHz band, SWN is one of the largest 800 MHz Public Safety license holders in the US, and therefore has a tremendous stake in the outcome of this proceeding. New York State supports the modified Consensus Proposal, and urges the Commission to adopt the modified "Consensus" proposal so that the re-banding process may proceed as quickly as possible.
2. The latest version of the "Consensus Plan" proposes to make changes to Appendix F of the December 2002 version of the plan – and we specifically cite Attachment 1 of the August 7, 2003 Ex Parte Comments, which is intended to provide additional interference

protection to post-re-banded 806-816/851-861 MHz users. This plan, as modified, now promises to “virtually eliminate” interference from cellular mobile radio service (“CMRS”) to public safety by an average of 99 percent for current National Public Safety Planning Advisory Committee (“NPSPAC”) licensees, and by an average of 88 percent for public safety licensees in the non-cellular block (809-814/854-859 MHz)<sup>1</sup>. The State is supportive of these proposed changes, which afford public safety enhanced interference protection against both out of band emissions (OOBE) and intermodulation from CMRS.

3. The State is very encouraged to see relaxation of the minimum signal level thresholds - which is necessary for reliable operation, and to protect public safety and private wireless operators from CMRS interference<sup>2</sup>. Furthermore, all licensees operating in the non-cellular 806-816/851-861 MHz band are now protected, not just those outside of the previously defined 814-816/859-861 MHz “guard band”. The proposed plan now protects public safety licensees by lowering the median<sup>3</sup> desired levels required for interference protection to -101 dBm for portable radios and -104 dBm for mobile radios in the area of interference<sup>4</sup>. The key aspect of these reduced thresholds is that they will no longer require public safety systems to be designed on an interference-limited basis in order to receive interference protection. This is extremely important to the State, and has been reiterated time and again within many of our previous filings.
4. The State supports the relief provided to licensees in the 851-861 MHz guard band channels through the removal of the mitigation threshold sliding scale<sup>5</sup>. The proposed change prohibits CMRS to public safety interference on guard band channels resulting

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<sup>1</sup> Ex Parte submission of Consensus Parties submitted August 7, 2003, page 45.

<sup>2</sup> Ex Parte submission of Consensus Parties submitted August 7, 2003, Page 47.

<sup>3</sup> Furthermore, the measurement methods have now been better defined.

<sup>4</sup> Ibid, Attachment I, page 8.

from OOB and intermodulation. The proposed plan will require CMRS to take the same corrective actions for guard band licensees as they do for those who have relocated to the "new" NPSPAC channels<sup>6</sup>. This eliminates our previous concerns that licensees within international border areas would be forced into guard band operations, and thus suffer under an unbearable minimum signal requirement in order to obtain interference protection.

5. Our comments in the past only offered conditional support of the consensus plan. This was mainly due to the high minimum threshold levels that were specified, and the lack of guard band<sup>7</sup> interference protection<sup>8</sup>. Higher threshold levels and lack of protection in the guard band would have serious consequences on the design of future public safety radio systems due to an increased noise floor. Imposing these constraints on radio system engineers requires systems to be designed on an interference-limited basis. Due to the increased number of tower sites associated with interference-limited designs, the impact felt by public safety would be financial. In fiscally challenged communities these constraints can seriously affect the ability to fund and construct public safety radio systems.
6. The State feels the proposed modifications to the Consensus Plan will be beneficial to the interests of public safety. We feel the proposed threshold levels will adequately protect public safety operation from harmful interference caused by CMRS. Additionally, these thresholds will not require public safety radio systems to be designed on an interference-

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<sup>5</sup> Ibid, Page 47.

<sup>6</sup> Ibid, Page 47, NPSPAC licensees relocated to 806-809/851-854 MHz.

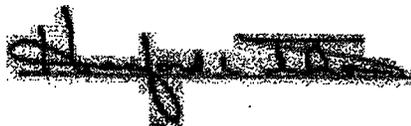
<sup>7</sup> Specifically, the border region consequences, and the associated minimum signal requirements

<sup>8</sup> Filings on WT Docket 02-55 by the New York State Office for Technology Statewide Wireless Network (SWN), Comments of May 6, 2002, Reply Comments of August 6, 2002, Comments of 9/23/02, February 10, 2003, and Reply comments of February 25, 2003.

limited basis. To ensure the plan's success due diligence is required from CMRS licensees in remedying interference caused by OOBE and intermodulation. This plan will go a long way to protect licensees from CMRS interference. However, once the plan has been enacted the incumbents must remain vigilant to ensure the same mistakes are not repeated. The problems that resulted in proceedings of WT Docket 02-55 must be avoided to prevent them from happen again. Note that cellular like operations within the segregated block can be handled quite easily, since effective frequency coordination can geographically partition the technologies as necessary<sup>9</sup>.

7. Although we feel that there are additional minor aspects of the Consensus Proposal that remain to be addressed, we feel comfortable at this point they can and will be resolved as this Docket proceeds. Therefore we place the support of New York State behind the modified Consensus Plan Proposal, and urge the Commission to adopt the proposal so that the re-banding process may proceed as quickly as possible.

Respectfully Submitted,



Hanford C. Thomas  
Director - Statewide Wireless Network  
New York State Office for Technology  
State Capital ESP, PO Box 2062  
Albany, New York 12220-0062  
(518) 443-2041

November 18, 2003

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<sup>9</sup> In fact, if effective frequency coordination had been employed in the past across all of the services (i.e. Public Safety and Nextel/CMRS/Cellular), then 800 MHz interference may never have become an issue

DOCKET FILE COPY ORIGINAL

# TOWN of NEW HARTFORD

ONEIDA COUNTY

## NEW HARTFORD CENTRAL DISPATCH

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Marlene H. Dortch  
Secretary  
Federal Communications Commission  
115 12th Street, SW  
Washington, DC 20551

Re: Docket 02-55

Dear Ms. Dortch:

I would like to express my support for the "Consensus Plan" filed by public safety organizations, private wireless organizations, and Nextel, in the above-reference proceeding regarding interference to 800 MHz public safety systems. We operate our police department's radios on an EDACS 800MHz trucked system. Not only do we maintain voice transmissions, we also utilize the system for our Mobile Data Terminals (MDT's) in the patrol cars. We have had and continue to have a severe interference problem in a key area of our town. This presents a serious officer safety issue.

This issue has been going on ever since Nextel placed a tower just over our border inside the City of Utica. At times, we've called our cars 6-7 times before they finally hear the dispatcher's transmission. What's worse, there have been times they've been unable to call dispatch when out on calls in that area. When trying to have this problem corrected, I've learned that there is disagreement in Washington as to which way would be best to proceed to correct these interferences. I truly believe the "Consensus Plan" will have a much better and quicker response to our existing problem and will prevent further problems in the future. Public Safety agencies are in need of a multi-agency radio infrastructure that has the expandability and provides uninterrupted coverage if we are adequately going to protect the public and our *First Responders!*

Respectfully submitted,



Jeffrey P. Madden  
Communications Supervisor

No of Copies Sent  
120 DE

Cc: Senator Charles Schumer  
Congressman Sherwood Boehlert

**kevin larkowski**

49 north main street , holland, NY 14080-9793

November 25, 2003 9:13 PM

**Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

Mitigation approaches are shortsighted, short-term solutions that inevitably will reduce first responders' effectiveness and put lives at risk. The Consensus Plan solves the economic, technical and policy problems associated with the current banding for public safety -- and it also makes room for future needs. By approving this plan, the FCC will be acting in the best interests of our society and putting public safety first.

I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

kevin larkowski

**Kevin Moore**

---

312 Wolf Rd , Latham, NY 12110

November 25, 2003 1:05 PM

**Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

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I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

Kevin Moore  
312 Wolf Rd  
Latham, NY 12110

**David Awerbuch**

671 Gaynor Place , West Hempstead, NY 11552

November 4, 2003 10:38 PM

**Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

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I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

David Awerbuch

**NORTH CAROLINA**

City of



Statesville

P. O. Box 1111 • Statesville, North Carolina 28687

Office of Fire Chief  
316 S. Meeting Street  
Statesville, NC 28677-5820  
(704) 878-3425

December 1, 2003

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

WT Docket Number 02-55

Dear Madame Secretary,

As the chief of the Statesville Fire Department, I know how important it is for firefighters and other public safety personnel to have access to clear and reliable communication tools. But today, interference in the 800 MHz spectrum continues to threaten this access.

We cannot continue to tolerate this problem. Without clear and reliable communications firefighters simply cannot do their job in a safe environment.

I know that a number of potential fixes have been presented to the FCC to address the interference problem. I strongly believe that only the Consensus Plan for realigning the 800 MHz spectrum is truly aiming to eradicate interference. It is financially impossible for each entity to address this on a case-by-case scenario. It is this proactive approach that has led me to join my colleagues from the International Association of Fire Chiefs in supporting this plan.

Now I ask that you join me and hundreds of public safety organizations across the state and the country in voicing your support of the Consensus Plan.

Respectfully submitted,

J. Richard Campbell, Fire Chief

CC:  
Representative Richard Burr  
2000 West First Street  
Winston Salem, N.C. 27104

City of



Lumberton

Fire Department

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

WT Docket Number 02-55

Dear Madame Secretary,

Rapid, reliable and safe communications are critical to our jobs as firefighters. But across the United States, public safety and commercial radio frequencies are intermingled and adjacent to one another, leading to interference that risks the lives of first responders and the citizens we protect.

Recognizing this, the FCC has promised action to resolve this interference to public safety operations. My organization, the International Association of Fire Chiefs, as part of a public/private coalition, has developed a comprehensive solution named the Consensus Plan.

The Consensus Plan will realign the current jumbled licensing of 800 MHz systems into separate blocks of spectrum for public safety and wireless carriers. This will virtually eliminate public safety interference and provide additional spectrum to public safety. The Consensus Plan is the only proposed solution that meets the needs of public safety and that is comprehensive, funded, and technically proven.

Please solve this problem at its root by realigning the jumbled spectrum. I urge you to implement the Consensus Plan without delay. First responders - and the communities we protect - depend on it.

Sincerely,

Chief Mike Cox  
Lumberton Fire Department  
PO Box 924  
Lumberton, NC 28359-0924

02-55

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

FILED 11/20/03

Dear Madame Secretary,

I write today to urge you to take action regarding the pressing problem of public safety interference in the 800 MHz spectrum. This interference to public safety radios is a dangerous reality for first responders and the communities we proudly protect

It is estimated that more than 350 public safety agencies will experience interference this year – the highest single-year total to date. As you know, this interference, by hampering the ability of public safety officials to communicate clearly, prevents firefighters from performing their jobs as well as they can and should. This puts lives at risk.

I know that there are other proposals to resolve the problem of interference at 800 MHz. Having looked at these, however, I feel that the Consensus Plan represents the most lasting and proactive solution to interference. By realigning the spectrum, public safety interference will be virtually eliminated. The Consensus Plan also provides additional spectrum to public safety for future communications platforms. Perhaps equally important, the Consensus Plan is the only plan that is fully funded – imposing no cost to the public safety community or the American taxpayer.

It is for that reason that I would like to express my support of the Consensus Plan and express my hope that you and your colleagues do the same.

Sincerely,

Chief John Lockamy  
Sea Gate Volunteer Fire  
6102 Oleander Dr  
Wilmington, NC 28403-4736

CC:  
Chairman Powell  
Commissioner Abernathy  
Commissioner Adelstein  
Commissioner Copps  
Commissioner Martin

Representative Eric Cantor  
329 Cannon Building  
Washington, DC 20515

02-55



firmat  
NOV 2 11 2003  
Distribution Center

**CITY OF WINSTON-SALEM**  
FIRE ADMINISTRATION

PO BOX 2511 • WINSTON-SALEM, NORTH CAROLINA 27102-2511  
336-773-7900 • Fax 336-773-7974 • www.cityofws.org/fire

**John W. Gist**  
Fire Chief

**John W. Lucas**  
Deputy Fire Chief

October 28, 2003

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S W  
Washington, DC 20554

Dear Madame Secretary,

As a chief for the Winston-Salem Fire Department, I know how important it is for firefighters and other public safety personnel to have access to clear and reliable communication tools. But today, interference in the 800 MHz spectrum continues to threaten this access.

We cannot continue to tolerate this problem. Without clear and reliable communications, firefighters simply cannot do their job as well as they should be able to.

I know that a number of potential fixes have been presented to the FCC to address the interference problem. But it seems to me that only the Consensus Plan for realigning the 800 MHz spectrum, is truly aiming to eradicate interference, rather than just fix it case-by-case when it happens to occur. It is this proactive approach that has led me to join my colleagues from the International Association of Fire Chiefs in supporting the Plan.

Now I ask that you join me and hundreds of public safety organizations across the state and the country in voicing your support to the FCC and speaking out on behalf of the Consensus Plan.

Respectfully submitted,

RECEIVED & INDEXED  
NOV 2 11 2003  
FCC-DOJ MAIL ROOM

*John W. Gist*  
John W. Gist, Fire Chief  
Winston-Salem Fire Department  
P. O. Box 2511  
Winston-Salem, NC 27102-2511



# KERNERSVILLE FIRE DEPARTMENT

02-55

Post Office Drawer 728 • Kernersville, North Carolina 27285-0728

Confirmed

NOV 1 3 2003

Distribution

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

RECEIVED &  
NOV 1 3 2003  
FCC

Dear Madame Secretary,

I would like to bring to your attention an important issue that profoundly impacts our country. The issue is public safety radio interference – a problem in desperate need of a solution. Public safety communications systems and commercial wireless operations are located on adjacent and intermingled channels in the 800 MHz spectrum band. The problem the technologies used by public safety and commercial wireless are incompatible with one another as neighbors. The result dangerous interference, which causes garbled communications and prevents public safety officials from doing their jobs.

There is a plan currently under consideration at the Federal Communications Commission that realigns the current jumbled licensing of 800 MHz systems into separate blocks of spectrum for public safety and cellular wireless carriers. This plan will virtually eliminate public safety interference, provide additional spectrum to public safety and offer a future platform for communications networks that are needed to protect our communities all at no cost to the American taxpayer.

The plan is known as the Consensus Plan and is the only proactive and comprehensive solution to this dangerous problem. Implementing the Consensus Plan would not cost taxpayers a single dollar. As a fire chief, I urge you to join me and many of my colleagues in supporting this solution.

I thank you in advance for your consideration.

Best regards,

*Jimmy L. Barrow*  
Chief Jimmy L. Barrow  
Kernersville Fire  
PO Box 728  
Kernersville, NC 27285-0728

RECEIVED & INSPECTED

NOV 25 2003

FCC-GBG MAILROOM

**OHIO**

**BOB NEY**  
16th District, Ohio  
2455 RANDOLPH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20516  
(202) 225-8288  
FAX: (202) 225-3894  
EMAIL: bobney@mail.house.gov  
1-800-4-OHIO-18



## Congress of the United States

### House of Representatives

Washington, DC 20515-3518

October 27, 2008

COMMITTEE:  
HOUSE ADMINISTRATION,  
CHAIRMAN  
FINANCIAL SERVICES  
CHAIRMAN, SUBCOMMITTEE ON HOUSING  
AND COMMUNITY OPPORTUNITY  
TRANSPORTATION AND  
INFRASTRUCTURE  
DEPUTY CHAIR

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Powell:

I am writing to you about an issue of growing importance to the public safety providers and emergency "first responders" in my district. It is becoming increasingly clear that public safety organizations - fire, medical, police and other emergency groups, have insufficient radio spectrum to meet their critical needs.

As you well know, the primary problem is that public safety and commercial radio frequencies are intermingled and adjacent to one another. This haphazard blending of communications networks is leading to dangerous interference that risks the lives of public safety personnel and the citizens they protect. Currently, Ohio is implementing a statewide 800 MHz digital voice communications system that will help the state's first responders provide a more coordinated and effective response to emergencies. Having the necessary amount of spectrum is vital to completing this system.

I understand that the fundamental cause of interference is the close proximity of public safety and commercial wireless operations within the 800 MHz spectrum band. The Federal Communications Commission should consider a comprehensive approach to rebanding that solves the problem on a national basis. Leaders in the public safety community believe that you can achieve this goal by enacting a plan that will provide additional spectrum to public safety - at no cost to the public safety organizations and local governments that are now struggling with limited resources. With lives on the line, we cannot afford to do anything less.

This is a critical issue for our nation and I urge you to act expeditiously. In this era of increased homeland security, the need to equip our first responders with rapid and reliable communications must be a top priority. This interference to public safety communications needs to be remedied without delay.

Sincerely,

Bob Ney  
Member of Congress

DISTRICT OFFICES

1354 West Main Street  
Spartanburg, SC 29303  
(770) 769-2391  
Fax: (740) 886-4289

126 East Second Street  
Suite D  
Chillicothe, OH 45601  
(600) 778-1834  
Fax: (740) 778-1841

Rutherford Hall Building  
182 2nd Street, NE, 30204  
Newark, OH 43055  
(740) 364-6280  
Fax: (330) 364-7675

220 Broadway  
Jackson, OH 46841  
(740) 266-1435  
Fax: (740) 266-2620

Washington Field Building  
20 North 7th Street  
Room 502  
Zanesville, OH 43701  
(740) 455-7823  
Fax: (740) 452-7781

PRINTED ON RECYCLED PAPER

**Ohio DAS** Department of Administrative Services  
Bob Taft, Governor  
Scott Johnson, Director

MARCS Program Office  
Suite 150  
2323 West Fifth Avenue  
Columbus, Ohio 43204

614.995.0060 voice  
614.995.0067 fax  
[www.state.oh.us/das/dcs/marcs](http://www.state.oh.us/das/dcs/marcs)

August 27, 2003  
MPO.03.286

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Docket 02-55

Ms. Dortch:

I am writing you today to express the support of our Ohio MARCS Program Office for the "Consensus Plan" currently proposed to you, as a means to resolve the ongoing interference problems being experienced by public safety agencies nationwide.

The MARCS program is in the final stages of implementing a statewide 800 MHz trunked digital voice system, as well as a statewide 800 MHz wireless data system. The system is serving all state-level first responder agencies, and we will continue to add local police, fire and EMS services as we finish building the system out.

We, like many other agencies, have experienced interference we believe is caused by cellular phone technologies sharing our frequency ranges.

After careful study, we believe the "consensus plan" is the most viable solution to the challenge before us, which must be resolved as expeditiously as possible, in the interest of public safety, officer safety, and homeland security.

If you have questions pertaining to this matter, please contact me at (614) 466-2257 or (614) 207-4453.

Sincerely,

Darryl L. Anderson  
Ohio MARCS Program Administrator

DOCKET FILE COPY ORIGINAL



# Department of Public Safety

Mitchell J. Brown, Director

## Division of Communications

Thomas A. Trufant, Administrator  
220 Greenlawn Avenue  
Columbus, Ohio 43223-2694



City of Columbus  
Mayor Michael B. Coleman

July 31, 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RECEIVED & INSPECTED

AUG 08 2003

FCC - MAILROOM

RE Docket 02-55

Dear Ms. Dortch:

The Division of Communication, Department of Public Safety, would like to express its support for the "Consensus Plan" filed by public safety organizations, private wireless organizations, and Nextel, in the above-referenced proceeding regarding interference to 800 MHz public safety systems.

The Division of Communications, Department of Public Safety, City of Columbus is responsible for the primary voice radio system, an 800 MHz multi-site simulcast 28 channel trunked system used by Columbus Fire and Police, the Franklin County Sheriff's Office, and many other first responders in Franklin County, Ohio. There are approximately 7,400 radios on the system being used for primary communications, mutual aid, or interoperability among some 119 agencies. We have repeatedly experienced radio interference. It is an on-going problem with no simple solution that is readily available.

Accepting the "Consensus Plan" instead of the "Balanced Approach" will:

- Eliminate most interference to critical systems used by first responders
- Is not reactive but proactive
- Provides funding for the plan
- Addresses the root cause of the interference
- Provides additional channels for Public Safety

Respectfully submitted,

Thomas A. Trufant  
Communications Administrator

03-115-TAT/lt

c: David M. Borden

ADMINISTRATION (614) 645-7710

FAX (614) 645-4819

MAINTENANCE (614) 645-7344

**PICKAWAY COUNTY, OHIO  
BOARD OF COUNTY COMMISSIONERS**

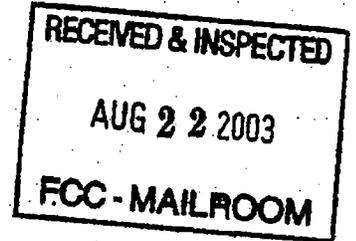
**800 MHz Advisory Board**

**139 West Franklin Street**

**Circleville, Ohio 43113**

**740-474-6093**

***www.pickaway.org***



Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

August 14, 2003

**Re: Docket 02-55**

Dear Ms. Dortch:

My name is James E. Bingman and I am the System Administrator for the Pickaway County, Ohio 800MHz County Wide Radio System WPJM556. Our systems owners, the Pickaway County Board of County Commissioners, our 800MHz System Advisory Board, and more importantly all of our "First Responder Public Safety Users" that depend on our 800MHz radio system are extremely concerned with this issue and what solutions are being considered to resolve it.

It would be our belief that the solution proposed with the "Consensus Plan" that this plan would offer the best approach to handle this problem.

The "Consensus Plan" appears to best address the issue by:

- Eliminating most of the interference to critical public safety systems
- Looks at the root cause of interference
- Provides for funding to implement the plan
- Will provide additional 800MHz frequencies/channels

I would like to go on record to express our agencies support for the "Consensus Plan" filed by public safety organizations, private wireless organizations, and Nextel, in the above-related proceeding regarding interference to 800MHz public safety communication systems.

Respectfully submitted,

A handwritten signature in cursive script that reads "James E. Bingman".

James E. Bingman  
System Administrator  
Pickaway County, Ohio  
800MHz County Wide Radio System

No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

0



# County of Hamilton



**ADMINISTRATIVE STAFF**

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MICHAEL E BAILEY  
595-8440

Fiscal Officer  
JOSEPH BOBINGER  
595-8448

Administrative Asst  
LISA A. SORN  
595 8442

Secretary 2  
DANA SCHRATT  
595-8443

**BOARD OF COUNTY COMMISSIONERS  
DEPARTMENT OF COMMUNICATIONS**

2377 CIVIC CENTER DRIVE  
CINCINNATI, OHIO 45231  
(513) 825-2170

**DIRECTOR  
WILLIAM H HINKLE**

**Operations Manager  
GREGORY A. WENZ**

**Telecommunications  
RONALD W. BIEN**

July 31, 2003

12 2003

Marlene H Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Reference: Docket Number 02-55**

Dear Ms Dortch

This letter is to advise you that the Hamilton County Communication Center joins with APCO in support for the "Consensus Plan" filed by public safety organizations, private wireless organizations, and Nextel, in the above-reference Docket to remedy the interference problems plaguing 800 MHz public safety systems nation wide

Our 800 MHz system provides emergency communications to over 100 law enforcement, fire and EMS agencies in our County. It also supports a number of public service agencies such as the Metropolitan Sewer District and municipal public works, recreations and parks. It was installed to take advantage of interoperability, enhanced coverage and because of its reliability. Harmful interference quickly negates all the reasons we installed the system.

From my perspective the Consensus Plan is the best solution. No governmental entity can afford to do this on its own and I applaud Nextel for offering to fund the fix. Also with Nextel's voluntary involvement the process will happen smother and much quicker than it would if the FCC was required to mandate this fix. I see this plan as a win-win. The Consensus Plan not only provides additional spectrum, which is a major factor, but it also fixes the problem and provides funds to implement it. And, the problem is fixed for both the private and public stakeholders. We need reliable communications now more than ever as we all fortify our operations to increase homeland security and prepare to respond to incidents that were unheard of only a few years ago.

Sincerely,

Gregory A. Wenz  
Operations Director

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

WT Docket Number 02-55

Dear Madame Secretary,

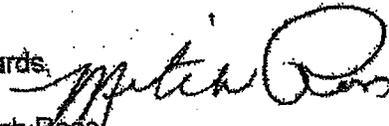
Rapid, reliable and safe communications are critical to our jobs as firefighters. But across the United States, public safety and commercial radio frequencies are intermingled and adjacent to one another, leading to interference that risks the lives of first responders and the citizens we protect.

Recognizing this, the FCC has promised action to resolve this interference to public safety operations. My organization, the International Association of Fire Chiefs, as part of a public/private coalition, has developed a comprehensive solution named the Consensus Plan.

The Consensus Plan will realign the current jumbled licensing of 800 MHz systems into separate blocks of spectrum for public safety and wireless carriers. This will virtually eliminate public safety interference and provide additional spectrum to public safety. The Consensus Plan is the only proposed solution that meets the needs of public safety and that is comprehensive, funded, and technically proven.

Please solve this problem at its root by realigning the jumbled spectrum. I urge you to implement the Consensus Plan without delay. First responders – and the communities we protect – depend on it.

Best regards,

  
Chief Mitch Ross  
Upper Arlington Fire Division  
3600 Tremont Rd.  
Upper Arlington, OH 43221

CC:  
Representative Deborah Pryce  
500 South Front Street, Suite 1130  
Columbus, OH 43215

## **Mark Johnson**

---

2700 Lyons Rd. , Miamisburg, OH 45342

November 29, 2003 11:56 PM

### **Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

Mitigation approaches are shortsighted, short-term solutions that inevitably will reduce first responders' effectiveness and put lives at risk. The Consensus Plan solves the economic, technical and policy problems associated with the current banding for public safety -- and it also makes room for future needs. By approving this plan, the FCC will be acting in the best interests of our society and putting public safety first.

I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

Mark Johnson  
2700 Lyons Rd.  
Miamisburg, OH 45342

**Paul Bagnasco**

2301 Nebraska , Toledo, OH 43607

November 2, 2003 10:38 AM

**Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

Mitigation approaches are shortsighted, short-term solutions that inevitably will reduce first responders' effectiveness and put lives at risk. The Consensus Plan solves the economic, technical and policy problems associated with the current banding for public safety -- and it also makes room for future needs. By approving this plan, the FCC will be acting in the best interests of our society and putting public safety first.

I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

Paul Bagnasco

**OREGON**

December 12, 2003

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment  
*Ex Parte*, WT Docket No. 02-55

Dear Ms. Dortch:

Here in Oregon, we operate on a 800 MHz trunked radio system providing critical public safety communications for police, fire and emergency personnel. We are actively following this vital proceeding for public safety and request that our views be considered.

First responders in Oregon and across the Nation are increasingly at risk because their public safety radio communications are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also urgently need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions. Fortunately, a solution is available.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders urgently need for radio communications. We support the Consensus Plan along with the Association of Public-Safety Communications Officials-International, Inc.; the International Association of Fire Chiefs, Inc. and International Municipal Signal Association; the International Association of Chiefs of Police, the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. The FCC must adopt the Consensus Plan expeditiously in its public safety spectrum rulemaking, WT Docket No. 02-55.

The Consensus Plan offers the only real, near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems, allocates additional spectrum for public safety needs, provides private funding to compensate licensees that may

need to relocate to new channels as the result of the Plan, and ensures that all affected licensees receive equivalent replacement spectrum as part of the spectrum swaps called for by the Consensus Plan.

Other proposals that have been made to the FCC fall far short and must be rejected. The UTC/cellular "plan" ignores the problems faced by public safety communicators and suggests that case-by-case, after-the-fact solutions could be found once interference manifests itself. Responding only after-the-fact to the problems affecting time-critical public safety services is not acceptable, since a single interference incident can jeopardize the lives of emergency personnel and the citizens they serve.

Section 1 of the Communications Act of 1934, provides that the FCC is to "promot[e] safety of life and property through the use of wire and radio communication." The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan. There is no reason for the FCC to postpone action any further.

We urge the FCC to resolve the issues facing the public safety community expeditiously and adopt in full the terms of the Consensus Plan. The Executive Board of the Oregon Council of Police Associations, which represents 3,000 police, corrections & law enforcement support personnel from across Oregon, is counting on you...

Sincerely,

David Burleigh, President

Oregon Council of Police Associations  
PO Box 2285, Roseburg, OR. 97417  
541-839-4046 [execocpa@rosenet.net](mailto:execocpa@rosenet.net)

cc [Oregon Congressional Delegation]



December 11, 2003

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RE: Support for the "Consensus Plan for 800 MHz Realignment"  
*Ex Parte*, WT Docket No. 02-55

Dear Ms. Dortch:

As the Fire Chief of Tualatin Valley Fire & Rescue (TVF&R), the largest fire protection district in Oregon, I know that effective radio communications are critical to the mission of all public safety responders. In fact, any interference with radio transmission could mean the difference between life and death of the victims they are rescuing or of their fellow responders. For this reason, TVF&R, the Oregon Fire Chief's Association (OFCA), and the Western Fire Chief's Association (WFCOA) are following the proceedings of FCC WT Docket No. 02-55 and request that our collective views be considered.

TVF&R and over 25 other local fire, law enforcement, and public agencies throughout Washington and Clackamas Counties use an 800 MHz trunked radio system. Our firefighters have experienced first-hand interference from cellular phones, which garbled or blocked our radio transmissions. Across the state, other agencies using 800 MHz systems have experienced the same problem.

The WFCOA (representing fire chiefs from Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington, and Utah), the OFCA, and TVF&R support and encourage the FCC to adopt the "Consensus Plan for 800 MHz Realignment" as it provides the most viable solution formulated to date to address cellular/public safety radio interference and allocates additional spectrum well-needed by first responders. This plan also provides for private funding to compensate licensees for any necessary spectrum relocation.

Concurrently, we request the FCC work with Nextel to ensure that the funding is administered in a manner which ensures the interference problem is solved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey D. Johnson", is written over a white background.

Jeffrey D. Johnson, Fire Chief  
OFCA Board Member  
WFCOA Vice President

*Office of the Fire Chief*

20665 SW Blanton St., Aloha, Oregon 97007 • (503) 649-8577 • [chief.johnson@tvfr.com](mailto:chief.johnson@tvfr.com) • [www.tvfr.com](http://www.tvfr.com)

Dear FCC,

The City of Salem, Communications Division supports the consensus plan contingent upon Nextel's pledge and guaranty of the 500 million to fund all relocation and/or conversion costs incurred by this public safety agency.

Thank you,  
Dave Emmons

**PENNSYLVANIA**

**CURT WELDON**

7TH DISTRICT, PENNSYLVANIA

2466 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3807  
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[www.house.gov/curtweldon](http://www.house.gov/curtweldon)

MIGRATORY BIRD  
CONSERVATION COMMISSION  
REPUBLICAN POLICY COMMITTEE



# Congress of the United States

## House of Representatives

Washington, DC 20515-3807

November 25, 2003

COMMITTEE ON ARMED SERVICES  
MILITARY PROCUREMENT, CHAIRMAN  
MILITARY READINESS  
SPECIAL OVERSIGHT PANEL ON MERCHANT MARINE  
SPECIAL OVERSIGHT PANEL ON TERRORISM

COMMITTEE ON SCIENCE  
RESEARCH  
ENVIRONMENT, TECHNOLOGY AND STANDARDS

CO-CHAIRMAN:  
CONGRESSIONAL FIRE SERVICES CAUCUS  
DUMA - CONGRESS STUDY GROUP  
GLOBE OCEAN PROTECTION TASK FORCE  
CONGRESSIONAL DIABETES CAUCUS

The Honorable Michael Powell  
Chairman  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear The Honorable Powell:

I am keenly interested in finding a solution to the dangerous problem of public safety 800 MHz interference. Published findings and research have long pointed to the need to implement a permanent and long-term solution to the rise in interference in radio communications for firefighters, police and EMS personnel across America. Like our nation's first responders, we call upon the Federal Communications Commission to take the necessary action to resolve this major challenge.

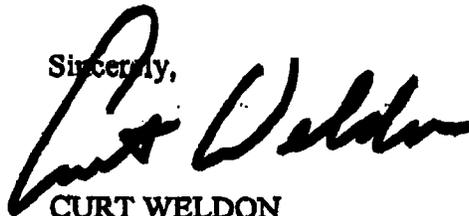
Our nation's first responders need clear and reliable communications in order to perform their jobs effectively. Dangerous interference, which this year hit a new high, is due to the intermingling of public safety and wireless carriers in the 800 MHz spectrum. An effective plan must address the root cause of interference by realigning this jumbled spectrum, instead of relying on reactive mitigation tactics that leave some jurisdictions with older, more vulnerable systems. With so many lives on the line, a clear and final decision must be made to re-band intermingled spectrum to permanently and effectively extinguish interference and protect against future circumstances that will inevitably arise in other jurisdictions.

However, it is absolutely necessary that any such plan account for all of the potential costs that public safety agencies may accrue to relocate to the new spectrum. Furthermore, local public agencies must not be burdened to front the costs of the transition when many jurisdictions have recently invested millions of dollars to update their older systems to the current NPSPAC spectrum. The final ruling by the FCC should include sufficient funds available, not merely promised, for multiple retunes, equipment upgrades or replacement, manpower, parts, and other required items. It is also important for the Commission to account for the unique types of state-wide or regional communications systems that have evolved to integrate urban, rural, international borders and multi-jurisdiction areas. I favor any plan that calls for industry to contribute to the costs of the transition.

The Honorable Michael Powell  
October 31, 2003  
Page 2

America's firefighters, emergency medical personnel and law enforcement officers will continue to risk their lives by responding to hazardous situations without sufficient communications to direct their actions or alert them of dangers. In response, the FCC must take the initiative and provide the tools necessary for our nation's first responders to do their job effectively and safely. I implore you to make the solution to communications interference your top priority.

Sincerely,



CURT WELDON  
Member of Congress

CW:jd

**Rich Matason**

---

911 Public Safety Road , Greensburg, PA 15601

November 25, 2003 2:39 PM

**Docket Number WT 02-55: I support the Consensus Plan**

I support the Consensus Plan that is before the FCC. It is fully consistent with the state of readiness and the public trust that first responders champion every day. The adoption will virtually eliminate the persistent and dangerous problem of the ever-increasing numbers of cell phones interfering with our communications systems. Most importantly, it gives first responders additional spectrum for clear, reliable communications and a platform to meet their interoperability requirements. The Consensus Plan helps set the stage for implementing the communications networks required to protect the communities we serve.

Mitigation approaches are shortsighted, short-term solutions that inevitably will reduce first responders' effectiveness and put lives at risk. The Consensus Plan solves the economic, technical and policy problems associated with the current banding for public safety -- and it also makes room for future needs. By approving this plan, the FCC will be acting in the best interests of our society and putting public safety first.

I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

Rich Matason

## **Stanley Hoffman**

---

1687 4th Ave , York, PA 17403

October 31, 2003 7:04 AM

### **Docket Number WT 02-55: I support the Consensus Plan**

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I have signed this petition in support of the Consensus Plan because I believe that this issue needs to be resolved immediately and I urge the FCC to approve the Consensus Plan without delay.

Sincerely,

Stanley Hoffman

**RHODE ISLAND**

November 4, 2003

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: WT Docket Number 02-55 (Public Safety on 800 Megahertz Band)

Dear Chairman Powell:

As a member of the House Select Committee on Homeland Security, I have heard from first responders and public safety leaders in my district and around the country about the critical issue of public safety interference. In fact, in a recent survey I conducted of first responders in my district, nearly half of the respondents listed communications as one of their top three homeland security priorities.

The fact that public safety officials are worried about their safety and the safety of those they protect because of problems with the spectrum is of great concern to me, and it points to an urgent need to ensure that our first responders are equipped with the proper tools for rapid and reliable communications.

Interference with public safety communications is an increasing problem throughout the country and will only worsen as commercial wireless operators and public safety entities continue to enhance their communications systems. This type of interference must be remedied in a comprehensive manner. The risk to our first responders is too great to rely on an approach based on resolving interference only after it occurs in a particular location.

As you know, the primary cause of this interference is the close proximity of public safety and commercial wireless operations within the 800 MHz spectrum band. In order to virtually eliminate the probability of interference, the 800 MHz spectrum needs to be realigned. I support a solution that accomplishes this goal while simultaneously providing the public safety community with much-needed additional spectrum at no cost to their organizations or to local governments, many of which are now struggling through fiscal crises of their own.

This is a critical issue for our country, and we cannot afford to stop short in this endeavor, or rely upon a piecemeal solution. I appreciate your interest in addressing this problem and urge you and your fellow Commissioners to act expeditiously to realign the 800 MHz spectrum with the best interests of our public safety officials, and all American citizens, in mind. Thank you for your attention to this matter, and I look forward to working with you.

Sincerely,

James R. Langevin  
Member of Congress

cc: The Honorable Kathleen Q. Aberathy  
The Honorable Jonathan S. Adelstein  
The Honorable Michael J. Copps  
The Honorable Kevin J. Martin  
Ms. Marlene H. Dortch, FCC Secretary



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903

(401) 274-4400

TDD (401) 453-0410

*Patrick C. Lynch, Attorney General*

November 24, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

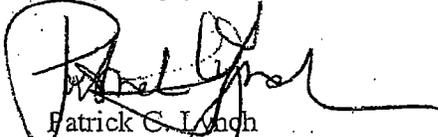
Re: WT Docket No. 02-55 (Public Safety on 800 Megahertz Band)

Dear Secretary Dortch:

I write in support of the Consensus Plan to eliminate interference to public safety communications systems and private wireless systems operating at 800 MHz.

Having access to reliable communications is critical to the public safety agencies of this state. Adoption of this plan will enhance the ability of our public safety agencies to communicate. This office has found that utilization of wireless communications to communicate with public safety agencies is no longer a luxury; it is a necessity. I urge the Commission to adopt this proposal.

Very truly yours,



Patrick C. Lynch  
Attorney General



December 2, 2003

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth St., SW  
Washington, DC 20554

Dear Ms. Dortch,

I am writing about a serious concern regarding the interoperability of my state's 800 megahertz radio band, which carries dedicated channels for public safety use. Commercial wireless carriers operate on interleaved adjacent bands. The technologies of these operations create significant problems for our first responders when interference occurs and their radios are unable to communicate.

The elimination of spectrum interference warrants the Federal Communications Commission's immediate attention.

The FCC is considering a plan to address the problem surrounding the 800 MHz systems licensing. The Consensus Plan will help to eliminate the disruptive interference, provide additional spectrum for public safety and first responders in addition to providing a foundation for future development.

I urge the FCC to approve the Consensus Plan and address this significant problem in public safety communications. Thank for your attention to this matter. Please feel free to contact me at my office if I can be of any assistance.

Sincerely,

A handwritten signature in cursive script that reads "Charles J. Fogarty".

Charles J. Fogarty

CJF/rs



CHIEF OF POLICE  
Steven B. Fage

## NORTH KINGSTOWN POLICE DEPARTMENT

8166 POST ROAD, NORTH KINGSTOWN, RHODE ISLAND 02852  
Telephone: (401) 294-3311 FAX: (401) 294-6830  
Administrative Offices: (401) 294-3316

December 1, 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: WT 02-55 (Improving Public Safety Communications in the 800 MHz Band)**

Dear Secretary Dortch,

Many thanks to the Commission for focusing on the issue of public safety interference. This is a problem that has lurked in the background for far too long. Communications for public safety officials is essential and the fact that they are compromised because of wireless operators is a problem that needs to be addressed immediately.

It concerns me that this problem only seems to be growing. We cannot wait for something to happen to one of our officers or a member of our community as a result of interference to determine a solution. We need to act now.

I support the Consensus Plan because it is the only real solution available. The problem is the intermingled spectrum, so the sensible approach is to realign the spectrum and solve the problem. The Consensus Plan has the support of the public safety community because it has our priorities in mind: elimination of interference, additional spectrum to public safety and at no cost to us, local governments or taxpayers.

Please do not let corporate interest distract you from the real issue here. Implement the Consensus Plan and solve the interference issue once and for all.

Best Regards,

Chief Steven B. Fage  
North Kingstown Police Department  
8166 Post Road  
North Kingstown, Rhode Island 02852

Copies to: Chairman Powell and Commissioners Abernathy,  
Adelstein, Copps, and Martin

**SOUTH CAROLINA**

August 20, 2003

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Support for the Consensus Plan for 800 MHz Realignment  
*Ex Parte*, WT Docket No. 02-55

Dear Ms. Dortch:

The City of North Myrtle Beach, South Carolina operates an 800 MHz trunked radio system providing critical public safety communications for police, fire and emergency personnel. We are actively following this vital proceeding for public safety and request that our views be considered.

First responders in South Carolina and across the Nation are increasingly at risk because their public safety radio communications are vulnerable to interference from cellular phones. As cellular usage increases, the risk of garbled or blocked police, fire and other public safety communications increases. First responders also urgently need more 800 MHz spectrum to have "interoperable" communications among police and firefighters and among neighboring jurisdictions. Fortunately, a solution is available.

The Federal Communications Commission has before it a "Consensus Plan" that would address cellular/public safety radio interference problems and provide more of the spectrum that first responders urgently need for radio communications. We support the Consensus Plan along with the Association of Public-Safety Communications Officials-International, Inc.; the International Association of Fire Chiefs, Inc. and International Municipal Signal Association; the International Association of Chiefs of Police, the Major Cities Chiefs Association; the Major County Sheriffs' Association; and the National Sheriffs' Association. The FCC must adopt the Consensus Plan expeditiously in its public safety spectrum rulemaking, WT Docket No. 02-55.

The Consensus Plan offers the only real, near-term solution to existing public safety radio problems. The Plan provides a comprehensive solution that addresses interference to public safety systems, allocates additional spectrum for public safety needs, provides private funding to compensate licensees that may

need to relocate to new channels as the result of the Plan, and ensures that all affected licensees receive sufficient replacement spectrum as part of the spectrum swaps called for by the Consensus Plan.

Other proposals that have been made to the FCC fall far short and must be rejected. The UTC/cellular "plan" ignores the problems faced by public safety communicators and suggests that case-by-case, after-the-fact solutions could be found once interference manifests itself. Responding only after-the-fact to the problems affecting time-critical public safety services is not acceptable, since a single interference incident can jeopardize the lives of emergency personnel and the citizens they serve.

Section 1 of the Communications Act of 1934, provides that the FCC is to "promot[e] safety of life and property through the use of wire and radio communication." The Consensus Plan would greatly advance this vital objective. It has been over sixteen months since the FCC began its public safety spectrum proceeding and over one year since the Consensus Plan was submitted. Supporters of the Consensus Plan have recently addressed the remaining implementation details associated with the Plan. There is no reason for the FCC to postpone action any further.

We urge the FCC to resolve the issues facing the public safety community expeditiously and adopt in full the terms of the Consensus Plan.

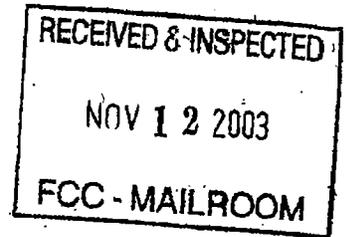
Sincerely,

Chief David A. King

cc Senator Ernest Hollings

EX PARTE OR LATE FILED

EX PARTE OR LATE FILED



ORIGINAL

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

WT Docket Number: 02-55

Dear Madame Secretary,

It's time more attention was paid to a major problem in public safety: radio signal interference. Communications are vital to emergency response – we need everyone involved to know the problem, what they need to do, and what everyone else is doing. It makes us quick, effective and safe. Unless our communications systems aren't up to the job because of interference, which causes delays, confusion and misdirection. In our line of work, this could be dangerous, if not deadly.

I applaud the Commission for recognizing this problem. Now, we need to ensure that the problem is solved in a permanent and proactive manner. The Consensus Plan does just this by realigning the 800 MHz spectrum. This will eliminate the interference problem as well as give public safety more radio spectrum for future communications needs.

It's called the "Consensus Plan" for a reason: more than 80 percent of public safety officials support it. I hope you will make a ruling in favor of the safety of first responders and the American public and approve the Consensus Plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Heathman".

Chief Bill Heathman  
Hartsville Fire  
111 South 7th Street  
Hartsville, SC 29550

CC:  
Representative John Spratt  
1401 Longworth HOB  
Washington, D C 20515

No of \_\_\_\_\_ rec'd 0  
Ltr \_\_\_\_\_

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

WT Docket Number 02-55

Dear Madame Secretary,

I am writing today to urge you to take action regarding the pressing problem of public safety interference in the 800 MHz spectrum.

As a fire chief, I know how important it is, in times of emergency and everyday, for first responders to be able to communicate clearly and reliably. Without the ability to communicate when we need to, we put both ourselves and the communities we protect at risk.

The Consensus Plan is the only viable solution to alleviate the problems of interference in the public safety spectrum. By realigning the spectrum, we will be solving the interference problem in a comprehensive and proactive way. The Consensus Plan also provides additional spectrum to public safety and offers a future platform for communications networks that are needed to protect our communities. Perhaps equally important, this plan is fully funded and will not impose any burden on taxpayers.

It is for that reason that I would like to go on the record in support of the Consensus Plan as the solution to the ongoing interference problem in the 800 MHz band.

Sincerely,



Chief Mike Blackmon  
Rock Hill Fire  
214 S. Elizabeth Ln  
Rock Hill, SC 29730-4502

CC:  
Representative John Spratt  
201 E. Main Street, Suite 305  
Rock Hill, SC 29730

**SOUTH DAKOTA**

THOMAS DASCHLE  
SOUTH DAKOTA

COMMITTEE  
AGRICULTURE  
(202) 224-2321  
TOLL FREE 1-800-424-9084

Email: Tom\_Daschle@daschle.senate.gov  
Internet: http://www.senate.gov/~daschle

## United States Senate

WASHINGTON, DC 20510-4103

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ABERDEEN, SD 57402-1536  
(605) 225-9823

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RAPID CITY, SD 57708  
(605) 348-7551

320 NORTH MAIN AVENUE, SUITE B  
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SIOUX FALLS, SD 57101-1274  
(605) 334-9596  
TDD (605) 334-4832

October 28, 2003

The Honorable Michael Powell  
Chairman  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Dear Mr. Chairman:

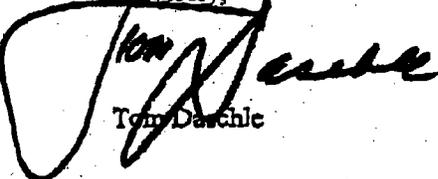
I am writing to share the concerns of the Professional Fire Fighters of South Dakota about interference problems in the 800 MHz spectrum band that is complicating the jobs of public safety providers and emergency "first responders" around the country. The enclosed letter from Steven J. Dirksen, the President of the organization, reflects the group's concerns and conveys its support for a proposal known as the "Consensus Plan."

As you are well aware, public safety and commercial wireless operators reside in close proximity on the spectrum. Operations by these adjacent licensees, providing service in compliance with the Commission's interference rules, have nonetheless resulted in instances of interference that endanger public safety personnel and the citizens they protect. The Professional Fire Fighters of South Dakota, as well as a number of other public safety organizations, have embraced the rebanding approach in the "Consensus Plan" as a promising way to resolve the problem.

Spectrum management is extraordinarily complex, and the Commission is the appropriate vehicle for evaluating this highly technical issue. Moreover, any effort to reallocate spectrum has a significant impact on other users, taxpayers and the public interest that should not be ignored by the Commission as it addresses the interference problems in the 800 MHz spectrum band.

I urge you to consider these factors as you craft a comprehensive response to the growing interference problem faced by public safety organizations. I also encourage the Commission to address this pressing issue in a timely manner.

Sincerely,



Tom Daschle

# PROFESSIONAL FIRE FIGHTERS SOUTH DAKOTA



October 5, 2009

Senator Tom Daschle  
509 Hart Senate Building  
Washington, DC 20510

Dear Senator Daschle,

I wanted to write a letter to express my concern about the dangerous problem of 800 MHz interference. Reliable communications are critical to firefighters and other public safety officials' jobs. But, across the United States, public safety and commercial radio frequencies are intermingled in the 800 MHz spectrum, which is causing interference that risks the lives of public safety personnel and the citizens we proudly protect.

I want to inform you of this serious problem. It is my belief that realignment of this spectrum separating public safety from commercial operators is the only solution that would solve this in a proactive and permanent way. This is why I support the Consensus Plan, a proposal supported by many of my fellow firefighters.

The Consensus Plan will virtually eliminate public safety interference and also provides for additional spectrum. The Plan is the only proposal that offers a future platform for communications networks that are needed to protect our communities. This Plan can be implemented at no cost to the American taxpayer or the public safety community.

Alternative plans do not do enough to protect our nation's first responders. This is a problem that needs to be solved in a comprehensive way, rather than on a case-by-case reactive basis.

I have included a copy of the Consensus Plan with this letter. Please keep the public safety community as one of your top priorities and help us to implement the Consensus Plan.

Sincerely,

Steven J. Dwyer, President  
Professional Fire Fighters of South Dakota  
1940 Cardinal Dr.  
Sioux Falls, SD 57109