



April 26, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: FCC 800 MHz Realignment Proceedings (WT Docket No. 02-55)

Dear Ms. Dortch:

The South Carolina APCO Chapter is very appreciative of the efforts of APCO National, the FCC and others in working to address interference issues. The South Carolina Chapter of APCO voted at its state meeting to file its concerns with the proposed Consensus Plan currently being considered by the FCC. Based on some activities of the APCO National, the SC Chapter is concerned that APCO's close alliance with NEXTEL may have indirectly allowed the association to lose some of its objectivity in closely scrutinizing the Consensus Plan. The SC APCO Chapter realizes the urgency of addressing the interference issue. The South Carolina Chapter of APCO however urges the Commission act prudently. The South Carolina APCO Chapter supports South Carolina Statewide 800 MHz Trunking Advisory Committee's and the South Carolina Budget & Control Board, Division of the State CIO's concerns filed with the FCC and feels that it would be premature to adopt this plan without additional guarantees from NEXTEL and further detail investigation of the facts. The SC APCO Chapter supports a national approach to address the interference problem, but realizes that we must address the interference with the A Band carriers as well as NEXTEL. To fully address this interference a blend of solutions from the Consensus Plan, Motorola's Best Practices Recommendations and the Balanced Approach Plan must be utilized...

Many of the SC APCO members are users of the SC statewide 800 MHz shared trunked radio system or local government 800 MHz trunked systems. SC APCO members are directly affected by the Consensus Plan and the FCC's decision. We would encourage the FCC as has the SC APCO Chapter to not bow to political pressure and cooruserion. We encourage the FCC to look hard at the technical issues involving all interference from cellular carriers and ensure that a good business plan is in place that addresses these issues for the long term before considering rebanding.

NEXTEL's changes to it's proposed funding of the \$850,000,000 with more direct up front local government funding is a step in the right direction. Assurances that this plan can be fully implemented and funded if started are as critical as the plan itself. The FCC should consider holding some frequency assets in the 1.9 GHz as collateral until rebanding is complete nationwide and all relocation cost have been paid, including any Public Safety cost over the estimated \$850,000,000. The South Carolina Chapter of APCO feels that the value of the spectrum

requested by NEXTEL in the 1.9 GHz should allow the FCC to reassign additional adjacent NEXTEL 800 MHz spectrum to Public Safety. To protect public safety and private systems the RCC should be under the direct control of the FCC and have financial audit authority.

The FCC should make every effort eliminate low site cellular type systems in the interleave band. Implementation a nationwide rebanding plan that does not address all areas of potential future interference by exempting some providers who utilize cellular technologies is not a nationwide plan. To prevent future interference the FCC should consider South Carolina recommendation prohibiting the development or use of cellular type and low site technologies in the proposed 851 to 861 band.

The South Carolina Chapter of APCO does not have a desire to create an environment in which the Chapter is pitted against the National Organization or those that have worked diligently on the Consensus Plan. The South Carolina Chapter is however deeply concerned that it appears the National Board appears that it has become too closely aligned with NEXTEL and has decided to circumvent the concerns of our local Chapter. To our knowledge no vote to support the Consensus Plan by the APCO National Board or the membership of APCO has been taken on this issue.

In summary of our concerns, the FCC must ensure that adequate funding will be available to complete the plan, that plenty of equal spectrum will be available, additional 800 MHz spectrum is added, ERP's and contours in the interleave band are equal and adequate value is received for the spectrum and that no other options exist before the FCC moves forward with consideration of this plan.

Respectfully submitted,



Sheila Hanna-Wiles
SC APCO President