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July 7, 2004

BY ELECTRONIC FILING

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

Re: WT Docket No. 02-55  
*Exempt Ex Parte Presentation* (47 C.F.R. § 1.1204(a)(10))

Dear Ms. Dortch:

On Wednesday, July 7, 2004, John Muleta, Chief of the Wireless Telecommunications Bureau, telephoned me to request information about public safety support for the Consensus Plan and requested that I send him a copy of the attached July 1, 2004 letter from the Fraternal Order of Police. I consequently faxed Mr. Muleta a copy of this letter pursuant to section 1.1204(a)(10) of the Commission's rules.

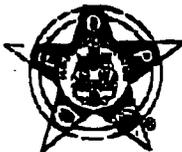
Pursuant to sections 1.1204(a)(10) and 1.1206(b)(2) of the Commission's rules, 47 C.F.R. §§ 1.1204(a)(10) and 1.1206(b)(2), this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ Regina M. Keeney  
Regina M. Keeney

Attachment

cc: John Muleta



**GRAND LODGE  
FRATERNAL ORDER OF POLICE<sup>®</sup>**

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CHUCK CANTERBURY  
NATIONAL PRESIDENT

JAMES D. PASCO, JR.  
EXECUTIVE DIRECTOR

1 July 2004

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
455 12th St., SW  
Washington, DC 20554

Dear Chairman Powell,

Earlier this year, I wrote to you and to President Bush on behalf of the more than 318,000 members of the Fraternal Order of Police expressing our concerns with the "Consensus Plan" for realigning the public safety radio spectrum. Proponents of this Plan represented it as having the full support of public safety professionals, which was certainly not the case at that time. We greatly appreciate the fact that you and the Federal Communications Commission (FCC) have heard our concerns with respect to how best to address this critical public safety issue—interference with public safety communications systems in the 800 MHz band of radio spectrum.

No one disputes that there is a legitimate interference problem which is growing within the 800 MHz band. The interests of the Fraternal Order of Police in this matter are the security of public safety communications, the personal safety of the officers themselves, and the ability to provide the best emergency response to the citizens of the communities we serve. We have met with representatives knowledgeable about both the Consensus Plan and the more recent proposal advanced by the Cellular Telecommunications and Internet Association (CTIA). Both proposals recognize that to resolve this problem requires the rebanding of the 800 MHz systems and increasing the allocation of spectrum to public safety in such a way so as not to place any financial burden on law enforcement agencies. The concerns that we raised with the Consensus Plan, outlined in our letters of 24 March and 2 April, have been addressed to our satisfaction. In our analysis, public safety will benefit if the FCC approves the Consensus Plan with the following requirements:

- The cost of public safety rebanding must be paid in its entirety without any cap,
- Public safety should be allocated 4 MHz of the 700 MHz band, and 2.5 MHz of the 800 MHz band.

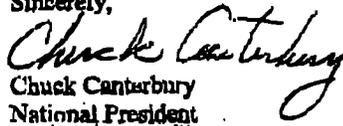
- Usage of 4 MHz at the 800 MHz band should be restricted in accordance with Appendix F in a supplemental filing to the Consensus Plan.

In addition to these requirements, we feel that the F.O.P. should play an integral leadership role in the implementation of the Consensus Plan. Further, as the largest law enforcement labor organization in the country, the F.O.P. should have a representative appointed to serve on any boards, commissions or committees which have oversight over the Plan or its implementation.

If the above conditions are ordered by the FCC, then the F.O.P. is confident that the Consensus Plan does represent the most comprehensive approach to the growing problem of interference with the 800 MHz band, and we would urge the FCC to approve it expeditiously.

We appreciate the opportunity to work with you on this critically important issue. If I can be of any further assistance, please do not hesitate to contact me or Executive Director Jim Pasco at my Washington office.

Sincerely,

  
 Chuck Canterbury  
 National President

cc: The Honorable George W. Bush  
 Commissioner Kathleen Q. Abernathy  
 Commissioner Jonathan S. Adelsheim  
 Commissioner Michael J. Copps  
 Commissioner Kevin J. Martin  
 The Honorable Tom Ridge, Secretary, U.S. Department of Homeland Security  
 The Honorable Leslie Wexler, Deputy Assistant to the President and Director of Public Liaison  
 The Honorable Steve Largent, President, Cellular Telecommunications & Internet Association (CTIA)  
 Association of Public Safety Communications Officials (APCO)  
 Federal Law Enforcement Officers Association (FLEOA)  
 International Association of Chiefs of Police (IACP)  
 International Association of Fire Chiefs (IAFC)  
 Major Cities Chiefs  
 Major Counties Sheriffs' Association  
 National Sheriffs' Association (NSA)  
 National Volunteer Fire Council (NVFC)