



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 Twelfth Street, S.W.

WASHINGTON, D.C. 20554

DA 00-1172

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON INFORMAL REQUEST OF UNITED TELECOM COUNCIL FOR CERTIFICATION TO PROVIDE FREQUENCY COORDINATION FOR 800 MHz AND 900 MHz PRIVATE LAND MOBILE RADIO SERVICE FREQUENCIES

Comment Due Date: June 26, 2000

Reply Comment Due Date: July 12, 2000

On March 6, 2000, the United Telecom Council (UTC) filed an informal request for frequency coordination certification in the 800 MHz and 900 MHz Private Land Mobile Radio Service (PLMR) Industrial/Land Transportation and Business Category Frequencies. This *Public Notice* seeks comment on UTC's request.

In 1986, the Commission certified frequency coordinators in each of the PLMR services.¹ At this time UTC was certified to coordinate certain frequencies below 512 MHz. In the *Refarming Second Report and Order*, the Commission determined that the Industrial/Business Pool² below 512 MHz would be administered by multiple coordinators, thus ending exclusive frequency coordination on certain frequencies and allowing competition to be introduced into the coordination process in those frequencies.³ The introduction of competition among coordinators was intended to promote lower coordination costs and foster better service to the public.⁴ We note, however, that to date, the Commission has not made changes to the frequency coordination process as it pertains to the 800 MHz and 900 MHz PLMR bands.⁵ UTC states that, because of similarities between the PLMR systems below 512 MHz and in the 800 and 900 MHz Industrial/Land Transportation and Business channels, it would be as qualified to represent licensees in the 800 MHz and 900 MHz channels as it is to coordinate frequencies below 512 MHz. UTC believes that allowing it to serve as frequency coordinator in these bands is in the public interest and is consistent with the Commission's statements in support of competition.

¹ See Frequency Coordination in the Private Land Mobile Radio Services, *Report and Order*, PR Docket No. 83-737, 103 FCC 2d 1093 (1986).

² The Industrial/Business Pool is comprised of frequencies that were previously allotted to any of the Industrial or Land Transportation Radio Services, including the Business Radio Service. See 47 C.F.R. §§ 90.31-90.35.

³ See Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Second Report and Order*, PR Docket 92-235, 12 FCC Rcd 14307, 14328 ¶ 40 (1997).

⁴ *Id.*

⁵ Implementation of Section 309(j) and 337 of the Communications Act of 1934 as Amended, Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, Establishment of Public Service Radio Pool in the Private Mobile Frequencies Below 800 MHz, *Notice of Proposed Rule Making*, WT Docket No. 99-87, 14 FCC Rcd 5206, 5217 ¶ 15 (1999).

Interested parties may file comments on the request for informal certification on or before June 26, 2000. Parties interested in submitting reply comments must do so on or before July 12, 2000. All comments should reference the subject request including the DA number on this *Public Notice*, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., TW-325, Washington, D.C. 20054. A copy of each filing should be sent to International Transcription Services, Inc. (ITS), 1231 20th Street, N.W., Washington, DC 20036, (202) 857-3800, and Catherine Fox, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 Twelfth Street, S.W., Room 3-C417, Washington, D.C. 20554.

The full text of the informal request for certification, comments and reply comments will be available for inspection and duplication during regular business hours in the Reference Information Center (RIC) of the Consumer Information Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room CY-A257, Washington, D.C. 20554. Copies also may be obtained from ITS. For further information regarding the public reference file for this request, contact Maria Ringold, Chief, Wireless Branch, RIC, at (202) 418-0271.

Because of the policy implications and potential impact of this proceeding on persons not parties to this request, we believe it would be in the public interest to treat this matter as a permit-but-disclose proceeding under the *ex parte* rules, *see* Sections 1.1200(a) and 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1200(a), 1.1206, rather than a restricted proceeding under Section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Therefore, any *ex parte* presentations that are made with respect to the issues involved in the subject request, subsequent to the release of this *Public Notice*, will be permissible but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b).

For further information, contact Catherine Fox of the Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0680 or via email to cafox@fcc.gov.

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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