



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES THE SELECTION OF TWO VHF CHANNEL PAIRS FOR THE UNITED STATES COAST GUARD'S PORTS AND WATERWAYS SAFETY SYSTEM

By letter dated March 15, 2001, the United States Coast Guard (Coast Guard) and Maritel, Inc. (Maritel), the geographic licensee for VHF Public Coast Station Areas (VPCSA) 1-9,¹ notified the Wireless Telecommunications Bureau that they had reached an agreement regarding the selection of channel pairs for use in Automatic Identification Systems (AIS) and related safety systems in support of the Coast Guard's Ports and Waterways Safety System (PAWSS).² Section 80.371(c)(3) of the Commission's Rules requires the Coast Guard and each licensee of VPCSA 1-9 to negotiate to select two narrowband 12.5 kHz offset channel pairs for PAWSS.³ The Commission chose a method of negotiation for determining the offset channel pairs, rather than preselection of the channel pairs during the rulemaking proceeding, in an effort to provide both the Coast Guard and the VPCSA licensee with more flexibility.⁴ During their negotiations, the Coast Guard and Maritel selected non-offset Channels 87 A/B (157.375 MHz/161.975 MHz), rather than offset channels,⁵ to be used for PAWSS. We find that application of the offset channel pairs requirement in the instant case would frustrate the underlying purpose of Section 80.371(c)(3), which is to provide the Coast Guard with an additional measure to ensure maritime safety. We support this mutually agreed-upon selection because it accomplishes the Commission's goal of providing PAWSS with two narrowband channel pairs. For the foregoing reasons, we waive Section 80.371(c)(3) to the extent necessary to allow the parties to implement their agreement.⁶

¹ VPCSA 1-9 collectively encompass the Atlantic, Pacific, and Gulf coasts; the Mississippi River system; and Alaska and Hawaii. See 47 C.F.R. § 80.373(c)(1)(ii).

² PAWSS will provide Vessel Traffic Services to facilitate the safe and efficient transit of vessel traffic to prevent collisions, groundings, and environmental damage associated with maritime accidents. See Amendment of the Commission's Rules Concerning Maritime Communications, *Third Report and Order and Memorandum Opinion and Order*, PR Docket No. 92-257, 13 FCC Rcd 19853, 19875 ¶ 46 (1998) (*Third Report and Order*).

³ 47 C.F.R. § 80.371(c)(3).

⁴ *Third Report and Order*, 13 FCC Rcd at 19876 ¶ 49.

⁵ Memorandum of Agreement Between United States Coast Guard and the Maritime VHF Public Coast Area Licensee at 2 (dated Mar. 7, 2001).

⁶ See 47 C.F.R. § 1.925(b)(3).

For further information, please contact Keith Fickner, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418-7308, TTY (202) 418-7233.

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

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