



PUBLIC NOTICE

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THE PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON TWO APPLICATIONS AND A WAIVER REQUEST FILED BY THE COUNTY OF ST. CROIX, WISCONSIN TO USE A PAGING-ONLY CHANNEL FOR NON-PAGING REPEATER OUTPUT COMMUNICATIONS

ULS Application Nos. 0008220219 and 0008220853

Comment Date: November 21, 2018

Reply Comment Date: December 6, 2018

The Public Safety and Homeland Security Bureau (Bureau) seeks comment on two applications filed by the County of St. Croix, Wisconsin (St. Croix). The applicant seeks a waiver of Sections 90.20(d)(13) and 90.20(d)(45) of the Commission's rules to use paging-only channel 157.450 MHz for repeater output voice communication.¹

The St. Croix applications propose to add a repeater output channel to the base stations comprising its VHF simulcast Private Land Mobile Radio (PLMR) system licensed under call signs WQZN231 and WQZH562.² In a statement attached to its applications, St. Croix represents that its simulcast system provides public safety dispatching service for "Fire, Emergency Medical Service (EMS), Rescue and Law Enforcement agencies" within the county and that it needs additional capacity to meet "current and future communication needs" of its users.³

St. Croix asserts that frequency 157.450 MHz is the "best choice" for deploying a new repeater output channel at each of the base stations in its county-wide simulcast system.⁴ It contends that frequency 157.450 MHz is a "currently underutilized" channel in and around the county.⁵ For example, it states it found no other licensee operating on channel 157.450 MHz within 100 miles of the county border.⁶ By contrast, St Croix says that all other channels considered in its frequency search reflected "heavier usage."⁷

¹ See ULS applications nos. 0008220219 and 0008220853 (St. Croix Applications). See also attachment to St. Croix Applications labeled Waiver Request.

² St. Croix Applications.

³ Waiver Request at 1.

⁴ *Id.* at 2.

⁵ *Id.*

⁶ St. Croix claims that the closest licensee operating on channel 157.450 MHz is Pine River, Minnesota which operates on the frequency under call sign WQAJ381, 105 miles from the St. Croix county border. *Id.*

⁷ *Id.*

Section 90.20(d)(13) of the Commission’s rules limits operations on frequency 157.450 MHz to one-way paging communications.⁸ Thus, St. Croix seeks a waiver of Section 90.20(d)(13) so it can deploy frequency 157.450 MHz for base-to-mobile voice communications rather than paging transmissions.⁹ Section 90.20(d)(45) of the Commission’s rules limits licensees operating on frequency 157.450 MHz to a maximum transmitter output power of 30 watts.¹⁰ St. Croix seeks a waiver of Section 90.20(d)(45) to operate with a maximum transmitter output power of 100 watts.¹¹

St. Croix argues there is “no better” or “more suitable” frequency within the Public Safety Pool to “fulfil its public safety mission.”¹² It represents that its frequency coordinator was unable to identify alternate output channel frequencies.¹³ Thus, St Croix includes with its applications a letter from its frequency coordinator, the International Municipal Signal Association (IMSA), confirming that IMSA recommended channel 157.450 MHz is the best available frequency for St. Croix’s proposed operation.¹⁴ In its letter, IMSA states: “there are no normally-assignable VHF public safety pool frequencies that can be readily assigned as the fourth simulcast base station frequency to [St Croix].”¹⁵ IMSA says it analyzed channels from the Public Safety pool but found frequency 157.450 MHz “to be the only frequency available in the VHF public safety pool that can successfully meet frequency coordination methods and reasonable equipment/engineering constraints” for assignment at all eleven fixed locations in St. Croix’s simulcast system.¹⁶ Finally, St. Croix argues it would be contrary to the public interest to allow frequency 157.450 MHz to “remain unused while a pressing need for its use exists for alternative types of critical public safety communications.”¹⁷

We seek comment on St. Croix’s request for waiver of Sections 90.20(d)(13) and 90.20(d)(45) of the Commission’s rules to license paging-only channel 157.450 MHz for repeater output voice communication at the base stations comprising its VHF simulcast PLMR system licensed under call signs WQZN231 and WQZH562. We especially solicit comment from any party that would be adversely affected by St. Croix’s proposal to use frequency 157.450 MHz for voice rather than paging transmissions and operate on the channel at a maximum transmitter output power of 100 watts.

Interested parties may file comments on or before **November 21, 2018**.¹⁸ Parties may file replies on or before **December 6, 2018**.¹⁹

⁸ 47 CFR § 90.20(d)(13).

⁹ Waiver Request at 3.

¹⁰ 47 CFR § 90.20(d)(45).

¹¹ *Id.* St. Croix also seeks a waiver of Section 90.20(d)(30) to operate on frequency 157.450 MHz with a bandwidth less than 25 kHz, but such a waiver is unnecessary because licensees may operate on channels with less than the maximum permitted bandwidth.

¹² *Id.*

¹³ *Id.* at 2.

¹⁴ *See* attachment to St. Croix Applications labeled “IMSA - Coordinator Statement.”

¹⁵ *Id.* at 1.

¹⁶ *Id.* at 2. IMSA says its analysis of the four best alternative channels to frequency 157.450 MHz revealed that each alternative caused co-channel or adjacent-channel interference concerns relative to incumbent licensees. *Id.* at 1.

¹⁷ Waiver Request at 3.

¹⁸ 47 CFR § 1.405.

Instructions for Filing Comments

All comments and reply comments should reference the subject St. Croix Waiver Request and the DA number indicated on this *Public Notice*. Comments may be filed: (1) electronically by accessing the applicant's file number(s) in the Commission's Universal Service Licensing System (ULS),²⁰ or (2) by filing paper copies.

Electronic Filers: Pleadings may be submitted electronically as follows:

- Begin the process by using the following link to the ULS website <https://wireless2.fcc.gov/UlsEntry/pleadings/pleadingsType.jsp>. The link will take you to the "Pleading Information" screen for "Non-docketed Pleadings" where you select "Reply" in the drop-down window for the type of pleading and then enter the pleadings filer information. Completion of the contact information is optional. Upon completion of this screen, please note the instructions for the filing: "*Pleadings must be dated and must include a signature, in this instance an electronic signature, and the address and phone number of the signing party.*"²¹ Click on "CONTINUE."
- The second step is to complete the *File Numbers/Call Signs* screen. Click if the pleading pertains to a File Number or Call Sign and enter the File Number or Call Sign. Please note that you must enter a File Number or Call Sign to continue. If the pleading pertains to multiple applications or licenses, you must enter each File Number or Call Sign as appropriate. After clicking the "SUBMIT" button, the screen will update to show all the File Numbers/Call Signs associated with the pleading. At this time, you may delete selected File Numbers/Call Signs from the page before continuing.
- The third step is to complete the *Attach File* screen to attach the pleading document. Use the drop down box to select Pleading or Confidential Pleading. The "BROWSE" button opens a file upload window where you will locate and select your pleading file. The Description field allows you to enter a brief description for the pleading. Click the "ADD ATTACHMENT" button to upload your pleading. You may submit up to thirty files for each pleading but each file must be smaller than 10 MB in size. You also have the opportunity to delete any selected file from the pleading.
- Finally, to complete your electronic pleading submission, click on the "SUBMIT PLEADING" button and the *Confirmation* screen will be displayed. The *Confirmation* screen will display your Confirmation Number as well as your entered pleadings information. You may print this page for your records by selecting the Print Page link at the top of the page and have the option of submitting another pleading or returning to the ULS website by selecting a link at the bottom of the page.

¹⁹ *Id.*

²⁰ *Wireless Telecommunications Bureau Enhances the Commission's Universal Licensing System to Implement Electronic Filing for Pleadings*, Public Notice, 21 FCC Rcd 424 (WTB 2006). See <https://docs.fcc.gov/public/attachments/DA-06-125A1.pdf>.

²¹ See 47 CFR Part 1.

The ULS Application Search results will display pleadings under the ADMIN tab when a comment or reply comment has been filed. Users can view the pleading by clicking on the link for the specific comment or reply comment in the Description field. The general public will not be able to view confidential pleadings.

For additional information or assistance on how to file a comment or reply comment or other relevant pleading, you may visit the Web at <http://esupport.fcc.gov>. You may also call the FCC ULS Customer Support Center at (877) 480-3201 and select option 2, or (888) 225-5322 and select Option 2, or (717) 338-2888. For TTY, please call (717) 338-2824. Assistance from the FCC ULS Customer Support Center is available between the hours of 8 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls to FCC ULS Customer Support Center are recorded.

Paper Filers: Parties who choose to file by paper must submit an original and one copy of each filing.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

The application(s), waiver request, and comments and reply comments can be accessed electronically via the Commission's Universal Licensing System, <http://wireless.fcc.gov/uls>.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information regarding this proceeding contact Brian Marengo, Electronics Engineer, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (voice) (202) 418-0838 or Brian.Marengo@fcc.gov.

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