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Congress of the United States

House of Representatives

July 14, 2011

Hon. Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

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Dear Chairman Genachowski:

I am writing to seek your assistance in understanding a unique licensing problem that has been brought to my attention by a hometown company located in my district. Unfortunately it seems that proceedings at the Wireless Bureau may be threatening the continued safe and reliable operation of critical infrastructure. This is due to radio licenses that have been requested, but not yet issued to PacifiCorp, the largest electric transmission entity in the western United States and a subsidiary of MidAmerican Energy. These licenses are necessary to safely operate and maintain its generation, transmission and distribution facilities throughout the Pacific Northwest.

Electric utilities such as PacifiCorp depend on their private land mobile systems to maintain reliable "push-to-talk" voice communications with utility personnel who must work in very dangerous environments, and often during extreme weather conditions and in remote areas, such as along high voltage transmission corridors. PacifiCorp's private radio network is designed to provide radio coverage to PacifiCorp crews operating within the company's service territory covering about 136,000 square miles, and containing approximately 1.7 million electric customers.

I understand that PacifiCorp has been engaged since 2003 in an extensive project to rebuild its private land mobile radio network in order to meet the FCC's January 1, 2013, deadline for such systems to be converted to "narrowband" technologies.

Because of a unique set of circumstances, PacifiCorp is compelled to continue building its new radio network on radio frequencies that PacifiCorp contracted to purchase in 2005 and that the FCC agreed to assign to PacifiCorp in 2009, but for which the FCC has still not issued licenses.

From my understanding of the situation, it appears that the FCC could provide some regulatory assurance by taking action on this request. PacifiCorp's lack of specific operating licenses for these frequencies creates unacceptable operating risk to the company, potentially impacting regional electric reliability and public safety.

I would appreciate it if you could look into this matter and advise me of when you believe the FCC will be able to issue the licenses for which the FCC has already found PacifiCorp to be qualified and which PacifiCorp needs to secure its ongoing private mobile radio network investment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lee Terry". The signature is stylized with a large initial "L" and a long horizontal stroke extending to the right.

Lee Terry
Vice Chair,
Subcommittee on Communications and Technology