

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
An Allocation of Spectrum for the) RM-9267
Private Land Mobile Radio Service)
)
To: The Commission

COMMENTS OF APCO

The Association of Public-Safety Communications Officials-International, Inc. ("APCO") hereby submits the following comments in response to the above-captioned Petition for Rulemaking filed by the Land Mobile Communications Council ("LMCC"). APCO is a member of LMCC and supports the Petition, except as otherwise set forth below with regard to the 420-450 MHz band.

APCO is the nation's oldest and largest public safety communications organization. Most of its 13,000 individual members are state or local government officials involved in the management, design, and operation of police, fire, emergency medical, local government, highway maintenance, forestry conservation, disaster relief, and other public safety communications systems. APCO is a certified frequency coordinator for Local Government Radio channels and is the sole coordinator for Police Radio channels and for all 800 MHz Public Safety channels.

The LMCC Petition seeks additional spectrum allocations for private wireless services, *i.e.*, governmental and non-governmental entities that maintain internal communications systems on their own radio frequency assignments. This includes both

public safety and non-public safety users. APCO generally supports the LMCC Petition, especially to the extent that it would result in additional spectrum being made available for public safety use. While the Commission has recently allocated 24 MHz for public safety in the 764-776/794-806 MHz band,¹ much of that spectrum will be unavailable in many urban areas until 2006 or later, at the end of the digital television transition. Moreover, the allocation of 24 MHz is only a partial response to the findings and recommendations of the Public Safety Wireless Advisory Committee ("PSWAC"), which urged that the Commission also allocate 2.5 MHz for interoperability in bands below 512 MHz and another 70 MHz by 2010.

One of the many spectrum bands that LMCC recommends for possible reallocation is the 420-450 MHz band, portions of which are available for amateur use on a secondary basis. There is a long history of cooperation between public safety agencies and the amateur radio community, especially in coordinating disaster relief and other emergency efforts. Amateur radio operations on 420-450 MHz often provide the most effective and reliable on-scene and wide-area communications in the immediate aftermath of a major emergency such as an earthquake or hurricane. Adding substantial numbers of new non-Federal primary users on the 420-450 MHz band, as proposed by LMCC, would significantly reduce the availability of that spectrum for amateur radio operations in emergency situations. Therefore, notwithstanding its general support for other aspects of the LMCC Petition, APCO strongly opposes any reallocation of the 420-450 MHz band.

¹ Report and Order in WT Docket 97-157, FCC 97-421(released January 6, 1998), 63 Fed. Reg. 6669 (February 10, 1998).


CONCLUSION

For the reasons set forth above, APCO opposes reallocation of the 420-450 MHz band, but otherwise urges the Commission to take appropriate steps to allocate additional spectrum for public safety and other private wireless services.

Respectfully submitted,

ASSOCIATION OF PUBLIC-SAFETY
COMMUNICATIONS OFFICIALS-
INTERNATIONAL, INC.

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