

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

In the Matter of )  
 )  
An Allocation of Spectrum for the ) RM-9267  
Private Mobile Radio Services )

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

COMMENTS

The Personal Communications Industry Association, Inc. ("PCIA"),<sup>1</sup> through counsel and pursuant to Section 1.405 of the Commission's Rules, 47 C.F.R. §1.405, hereby respectfully submits its Comments in response to the Petition for Rule Making filed by the Land Mobile Communications Council ("LMCC"). PCIA is a member of LMCC, and therefore supports the Petition. Further, PCIA encourages the Commission to consider this Petition carefully. The Petition was well prepared and thoughtfully documents the difficulties experienced in the private radio user community during the past several years.

The Petition was necessitated by the Commission's recent total focus on the expansion of commercial spectrum and zeal to conduct auctions. The attention paid to PCS, wide-area SMRs, LMDS, MMDS, GWCS, etc. has been at the expense of the private user community. While the use and reliance on wireless devices by the general public has soared in recent years, the needs of the

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<sup>1</sup>PCIA is an international trade association representing the interests of both commercial mobile radio service ("CMRS") and private mobile radio service ("PMRS") users and businesses involved in all facets of the personal communications industry. PCIA's Federation of Councils include: the Paging and Narrowband PCS Alliance, the Broadband PCS Alliance, the Mobile Wireless Communications Alliance, the Site Owners and Managers Association, the Association of Communications Technicians, and the Private System Users Alliance. In addition, PCIA is the FCC-appointed frequency coordinator for the Business Radio Service, the 800 and 900 MHz Business Pools, 800 MHz General Category frequencies, and for the 929 MHz paging frequencies.

business community has multiplied in size and scope in a manner never previously envisioned by communications forecasters.

However, while the need for internal use spectrum has escalated, the spectrum actually available for such use has shrunk dramatically. Specifically, as the business community was just beginning to take full advantage of 800 MHz spectrum (as equipment became more reasonably priced and expanded in technical capability), several forces conspired to rob users of access to much of this spectrum. The land rush to become the largest SMR in town, the activities of licensing mills, and the Commission's effort to auction the General Category frequencies combined to stifle further use of this band for internal use systems. The 800 MHz band remains an important and vital piece of spectrum for private users, but its use for expansion has been curtailed because of recent rule changes. Similarly, 900 MHz spectrum has also become an important private user band, but the number of channels is limited.

The Commission's efforts to expand the amount of commercial wireless spectrum has paid huge dividends for the public as consumers of communications services. The breadth of wireless services for consumers has escalated at the same time as costs have dropped. This trend should continue during the next several years as already licensed competitors construct their systems. However, while costs have dropped for the public as consumers of wireless services, the public is about to experience an increase in costs of goods for the public as consumers of the goods produced by businesses with insufficient wireless communications. This is because businesses have an increased need for internal wireless communications, but are unable in most urban areas to find available spectrum to utilize the new and varied devices which have been developed to reduce the cost of doing business.

When airlines have insufficient spectrum for their employees, baggage is delayed, and more importantly safety is compromised from an inability to properly communicate between ground personnel with important tasks such as de-icing. When taxicabs are unable to be dispatched efficiently because of crowded channels, passengers wait and are potentially exposed to unnecessary danger. When utilities are unable to utilize new technologies to more efficiently to control the delivery of services, the public pays more for electricity than necessary or safety is compromised from being unable to respond more effectively to emergencies. When a computer chip manufacturer is unable to upgrade their internal communications system as part of their efforts to make faster and more efficiently chips, the public pays more for computers.

PCIA does not mean to suggest that commercial communications can never serve business communications needs. In fact, SMR Systems, PCS and other shared communications systems serve the business communications needs of thousands of users. However, as documented in the LMCC Petition and historically recognized by the Commission through the decades, commercial systems can not meet all business communications needs.

As part of its Petition, the LMCC has identified several possible target spectrum bands. PCIA does not necessarily support each of the identified bands as appropriate for the requested relief.<sup>2</sup> However, PCIA believes that the LMCC Petition presents a good starting point for discussion and research into ultimately determining a proper, future home for next generation business communications.

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<sup>2</sup>For example, PCIA does not at this time support the reallocation of the targeted aeronautical band.

The Commission has performed a historic task in making consumer communications more readily available while at the same time raising billions of dollars for the Federal Treasury. The Commission has also made sufficient spectrum available for future public safety needs in WT Docket No. 96-86. The Commission now has the historic opportunity to reduce costs to the public by making business communications available in the twenty-first century.

WHEREFORE, the premises considered, it is respectfully requested that the Commission initiate a rule making proceeding as requested in the Petition for Rule Making submitted by the Land Mobile Communications Council.

Respectfully submitted,

PERSONAL COMMUNICATIONS  
INDUSTRY ASSOCIATION

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