

# FEDERAL COMMUNICATIONS COMMISSION

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In the Matter of:     )  
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SUBCOMMITTEE MEETINGS    )  
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Pages:       1 through 52

Place: Lansing, Michigan

Date: September 24, 1999

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## HERITAGE REPORTING CORPORATION

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THE FEDERAL COMMUNICATIONS COMMISSION  
PUBLIC SAFETY NATIONAL COORDINATION COMMITTEE

In the Matter of: )  
SUBCOMMITTEE MEETINGS )

Friday,  
September 24, 1999

The Holiday Inn  
Lansing West Conference Center  
7501 West Saginaw Highway  
Lansing, Michigan

The meeting in the above-entitled matter was  
convened, pursuant to Notice, at 1:30 p.m.

BEFORE: MS. KATHLEEN WALLMAN,  
Committee Chair

APPEARANCES:

On Behalf of the Steering Committee:

KATHLEEN WALLMAN, Committee Chair  
ERNEST HOFMEISTER  
TIMOTHY LOWENSTEIN  
HARLIN R. McEWEN  
STEVEN MUELLER (for Steering Committee member Mayor Clarence  
Harmon)  
JULIO ("RICK") MURPHY  
ELLEN O'HARA  
STEVE PROCTOR  
LOUISE RENNE, Esq.  
MARILYN WARD

Other appearances:

MICHAEL J. WILHELM, Designated Federal Officer of the Public Safety  
National Coordination Committee

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PROCEEDINGS

(1:30 p.m.)

MS. KATHY WALLMAN: Welcome. This is the third meeting of the National Coordinating Committee. We're convened here in Lansing for the purpose of discussing the important problem of how we can improve the interoperability of law enforcement and emergency medical and other first respondent radio systems in the event of an emergency and in day to day use.

We're happy to be here in Lansing. I took an informal poll and I think there's an overwhelming preference for Lansing in September, versus August in Washington, DC.

So, we're going to move things right along today and John Powell, are you near?

MR. POWELL: Right here.

MS. KATHY WALLMAN: There you are. I'm going to dispense with introductory remarks, except to thank everybody for coming here and to thank our hosts here in Lansing and to thank, also, those people from PSWN, who helped facilitate our being an adjunct to the PSWN meeting that just concluded here.

We're going to move right to subcommittee reports and I'm going to call first on John Powell.

## REPORT BY THE INTEROPERABILITY SUBCOMMITTEE

MR. JOHN POWELL: Thank you, Kathy. It's my pleasure to present what I think is the first report of any of the subcommittees. This is a report from our Trunking Work Group Number Five. It's the recommendations that have been debated here over

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the last two days and modified and I think we've finally come to consensus on this issue.

I'd like to pass you the original. I think I've given copies to all the members that are here. If there's any other Steering Committee members hiding out in the audience, I have a few copies left.

MS. KATHY WALLMAN: Thank you, John.

MR. JOHN POWELL: You will note that we reference some other deliverables in this report and I have set those as the first priorities for those other work groups to begin working on.

I'm hoping, especially now that it appears that our list serve is working much better than it has been over the past couple of months and we are getting good distribution to all the members of the subcommittee and the working groups in the field, that we'll be able to move forward with this rather quickly.

We're also looking at getting together potentially, around some other meetings as we did in Minneapolis, that might be coming up, such as the PSWN meeting in Florida in December. For those people that might be in the area, to be able to just take advantage of the fact that many of us will be together again and to sit down and work, in person, on some of these. It seems to be a lot more -- even though we tend to stray -- a lot more efficient and we seem to get a lot more done when we can have those unofficial meetings when a number of us are together.

It's my intent, just for all of you here, to take all of the documents that we have so far, now that we have a numbering system, and I will renumber those documents and distribute them back out to the Interoperability Subcommittee over the

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list serve, so that you will have documents in one of various forms, but at least they will be referenced and listed in the document list.

So those of you at the podium here, as well as the members of the Subcommittee can, if you have the time, take a look at the correspondence that's being exchanged on the issues. And certainly we appreciate any input that any of you up here would like to give back to us as we move forward -- especially if you see red flags going up. We like to be alerted to those early.

MS. KATHY WALLMAN: Thank you. John, at the Orlando convention, if there are people for whom it would not be convenient to attend in person, can we try to have telephone hook-ups so people can dial in?

MR. JOHN POWELL: We will try. We just started talking about that as a possibility today, so --

MS. KATHY WALLMAN: Okay.

MR. JOHN POWELL: That seemed to work out fine in Minneapolis, although it was used a little bit but not extensively, but to the degree that it's easy to advertise that to other people and they have time to participate, I think that that's something that would be advisable to do.

MS. KATHY WALLMAN: Well, thank you very much for this report and thank you to you and everyone who worked with you to produce this early and under budget. It is the best of public - private cooperation to be able to do that and we're very grateful for what you've done.

MR. JOHN POWELL: And I'd especially like to thank Dave Buchanan for his part of the work as Chair of the Work Group to put it together.

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MS. KATHY WALLMAN: Yes, thank you, Dave.

Are there any Steering Committee members who have questions for John before he has to leave?

(No response.)

MR. JOHN POWELL: I'll be around for a few minutes yet, so.

MS. KATHY WALLMAN: Okay. Anybody from the audience with a question for John before he has to go?

(No response.)

MS. KATHY WALLMAN: John, have a safe trip home. We'll be thinking of you.

I'd like to hear from the other two subcommittees and if there's any prearranged order, I'm happy to go by what has been prearranged between the two.

All right then, alphabetical order. Is the Implementation Subcommittee ready to present?

(No response.)

MR. RICHARD DeMELLO: Richard DeMello here again, filling in for Ted Dempsey and his wife's cancer problem is under control, so he's told me he's going to make the next meeting for sure.

MS. KATHY WALLMAN: Good.

#### REPORT BY THE IMPLEMENTATION SUBCOMMITTEE

MR. RICHARD DeMELLO: We started out the meeting by taking a look at the June minutes and also discussing the numbering plan that John Powell sent in. And our Committee is going to use that, likewise.

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We also talked about milestones and the fact that all the milestones haven't been listed out and it looks as if our end date to this whole process is February 2000 and that's not going to happen that way, but we're going to achieve as much as we can, as quickly as we can; of course under the guidance and direction of the NCC.

Moving along from there, we talked about the re-write of the tasks by Working Group. Now what this means is we originally received approximately 12 tasks and those 12 tasks were just readjusted and placed under the various Working Groups. I don't have copies of that to distribute to the NCC as this time, but there is no change, really, in verbiage, except for one word. We've eliminated a few words and that's about it.

So we just wanted to reorganize it a little bit so that the Working Groups could better understand how the things fit together.

The first Working Group report was done by Dave Eierman of Motorola and he talked about the DTV blockage and we had a number of slides discussing that. We're not going to put up the slides, but we are going to electronically send a copy of these slides to Michael Wilhelm and he can send it to the NCC.

Basically what it identifies is some areas where various channels could be used or various parts of the 700 Megahertz spectrum could be used for land mobile and other sections where it could not be used.

During the next meeting he's going to identify different engineering criteria that may be utilized in obtaining licenses and making use of that spectrum and also he'll be, I'm sure, contacting the FCC to find out about the latest licenses and TV stations that have relocated and do not appear to be an issue any longer.

The next task group -- or there was one thing that did come up. That was in the Continental United States, Hawaii was interested in having some research done in Hawaii and that's going to be taken care of. We don't want to leave Hawaii out of this.

The next Work Group that presented information -- Tom Tolman presented the information. Ali Shahnamy was unable to be here. And basically he provided and distributed minutes from the Working Group meeting in Minnesota and also distributed a comparison between Project 25 and TETRA for information purposes, to the committee. There really wasn't any discussion on those particular items, but there was a discussion regarding NIJ and the relationship between NIJ and NPSTC in the common database arena. And NPSTC is developing some information, specifications if you will, for a common database for the 700 Megahertz spectrum and that is moving along and we're working with Tom Tolman, of course, on that. And they're going to be helping with the funding of that, I don't to exactly what extent, but it's in Tom's shop right now for -- would it be correct to say specification development, Tom?

MR. TOM TOLMAN: Yes, full-out development. Complete build-out and operation.

MR. RICHARD DeMELLO: One of the things we would like to see, and it's come up a couple of times in these discussions, is a strong statement from the NCC to the FCC mandating that the regions will use this database in their process and of course it will be used as the common database for the entire spectrum.

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I want to step back just for a minute or two here because some of the issues that we talked about, Ted Dempsey hasn't really been brought up to speed on and on Wednesday or Thursday of this week we're probably going to have a conference call with him and get him up to speed and take a look at those milestones again and maybe make some adjustments to those milestones.

The majority of the time of the meeting his morning was really spent with Fred Griffin's group, regarding planning and policies and things like that, that would be included in a national plan; trying to consider some standards and requirements.

A ton of items were discussed. One of them which is kind of interesting is the mobiles per frequency or the number of channels you should have based upon the number of mobiles, based upon the activity and so on and so forth. And of course frequency coordinators have contended with that issue for quite a while. And I was talking to Tom Tolman a little bit and we might want to consider asking some assistance from his group, NIJ, to take a look at maybe some systems under use, to help us get a little closer on that in the future, maybe before we get down to coming up with a final recommendation on how much spectrum should be used by a department or a hundred policemen versus a hundred firemen or whatever.

So it was kind of encouraging that we may be able to get a little research done in that regard. That took place after the meeting of course, but you have to move these things along when you can.

We talked about packing the plan. We talked about system implementation. When I'm talking about system implementation what I'm talking about here is someone getting a license and monitoring their implementation. What we can

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do or what we cannot do in regards to agencies that do not implement, but yet have a license. In many cases it's difficult to recoup those frequencies.

We spent time discussing the Booz, Allen and Hamilton report regarding regional plans and part of the charge from the NCC really reads something to the effect that all plans need to be reviewed. That's a tremendous task. So we discussed what does the committee really need to do.

It appears that the committee really needs to review four or five plans to get a handle on the diversity of the plans. It seems that many are common, a lot of common language in them, so we're planning on doing that. Fred Griffin's committee is going to plan on doing that. We don't know exactly which plans they are right now, but the State of Florida indicated that he can receive theirs electronically and he will be doing that.

Fred, would you like to say something regarding this, please?

MR. FRED GRIFFIN: The Booz, Allen representative approached me at lunch and they are going to provide us a sample of the six categories that they feel are the unique plans, the rest of them are copies.

MR. RICHARD DeMELLO: I'd say we're moving along fine, sir. Thank you.

I think that's about it on my notes. Do any of you Working Group Chairs have anything to add?

(No response.)

MR. RICHARD DeMELLO: The documents in this subcommittee have not been numbered as yet. We will be numbering them and sending them along to the

NCC.

MS. KATHY WALLMAN: There were some TETRA related materials that you mentioned during the -- that you looked at today. I have some expressions of interest on the Steering Committee to look at those documents, too, if you can figure out an appropriate way to make them available.

MR. RICHARD DeMELLO: I can go down and have copies made of them right now.

MS. KATHY WALLMAN: That would be an appropriate and convenient way of making them available. That would be great.

MR. RICHARD DeMELLO: We'll do that.

MS. KATHY WALLMAN: Thanks.

MR. RICHARD DeMELLO: That takes care of my report.

MS. KATHY WALLMAN: Thank you. Are you ready, Mr. Nash?

MR. GLEN NASH: Ready as I'm going to be, I guess.

MS. KATHY WALLMAN: We'll take that.

#### REPORT BY THE TECHNOLOGY SUBCOMMITTEE

MR. GLEN NASH: The Technology Committee met yesterday afternoon.

We had a report from Don Pfohl on the receiver standards. Don had been in contact with some of the people from TIA and a recommendation -- and looking at a possibility of probably having, within in the -- at least the Project 25, the TSB -- or the TIA 102-series documents on performance. There were two levels of receiver performance identified and looking at possibly adopting those, in a manner similar to the way the FCC has adopted dish-size standards for the microwave, as an A and B

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area-type standard, is that we may be able to come up with a similar description of an A and a B area for receiver performance.

We then had an extensive discussion on the interoperability standards, again, looking at the two candidate systems, the Project 25 and the TETRA. It would appear from the discussion and what was -- you know, the people participating in the meeting is that we're very close to consensus. There's certainly -- I would say, a vast majority of the people in the audience were in favor of one technology. Nonetheless, there was still some expressed concerns about making a decision at this meeting and particularly in light of the fact that we had published the intent to make the decision in the November meeting as part of the August report.

So that final decision has been put off, but I would say that we certainly are very close to having a consensus decision on that issue and I would expect that at the November meeting we will be able to report to the Committee on that consensus opinion.

In the interim, between now and that November meeting, we did develop a list of 18 criteria or questions for individuals and the manufacturers to respond to relative to the two technologies. And in talking with Bob Schlieman, here during lunch and that, what we hope to be able to do is to analyze the responses we get back from individuals and the various manufacturers, relative to those questions and that those answers be returned via e-mail to the List Server and we can analyze them and hopefully, actually put information out on the List Server as to what the apparent consensus opinion is, so that -- hopefully there will not be much discussion at the

November meeting, but we'll see how that goes.

The final issue that really did not come up for much discussion -- actually no discussion in our meeting, but came up more as a result of the decision made in John's meeting, relative to trunking and some concerns that were expressed there. That is with trunking now on the table, and even though the recommendation of the Interoperability Committee is that trunking be, not mandated but be an option for use in the interoperability spectrum, while there is no -- we would interpret that as not requiring the establishment of a trunking standard for use nationwide and therefore, you know, the need for my committee to develop a trunking standard, there nonetheless is a need for us to look again at the spectrum allocation of the interoperability channels that was made by the Commission.

And the item that was pointed out is that in the spectrum allocation plan, as proposed in the report and order, the interoperability channels were grouped in groups of two, which would allow for a grouping of 12 1/2 kilohertz channels that might be used, particularly amongst the various trunking technologies. And at least one of the candidates for a trunking system would utilize a 25 kilohertz channel.

So we need to go back and consider should the Committee recommend that the interop channels be regrouped to allow at least some groupings of four to permit a TETRA-type system to be utilized on the interop channels or should the committee recommend an alternative way of providing for some assurance that -- for instance, the burden could be placed upon the Regional Planning Committee to allocate two channels in addition to the nationwide interop channels if TETRA is going to be the trunking standard used within the region.

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So we do need to visit that issue now and that will become a task for the Spectrum Working Group of my committee; you know, to consider a recommendation for that.

MS. KATHY WALLMAN: I understand that there are going to be some fairly focused discussions between P-25 proponents and TETRA proponents toward the end of October. Will you have a mechanism for taking into account what may come from those discussions?

MR. GLEN NASH: The -- what you're referring to is that at the end of October there is a Project 25 meeting scheduled in Boulder, at which time Ericsson is going to be making a presentation to the Project 25 committee -- at least I understand they will be -- and the TETRA proponents are scheduled to make a presentation to the Project 25 Committee. The decision there being whether or not Project 25 will establish tracks for either a two-slot and/or a four-slot TDM version of the Project 25 standard.

While not directly related to the interoperability questions raised here, is that that decision has an impact on making the manufacturers more comfortable with potentially adopting -- and here the question is Project 25 as the interoperability standard, at least for conventional operations, is that, again, there's been some -- my understanding is that the Project 25 Steering Committee is insisting that to consider either one of those technologies as a track for the Project 25, is that they include the Phase I FDM mode of operation within their radios, which then would open the door that the Phase I, 12 1/2 kilohertz wide FDM mode becomes the obvious interoperability mode because it would then be the common mode amongst the three different systems being considered. And it makes it that much more easy for my committee to say that

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the Phase I is the interoperability mode, because, again, it is -- it's the common denominator amongst all three technologies.

So, while not directly making a decision on interoperability, it certainly is going to have an impact on how easy it is for us to reach consensus.

AUDIENCE MEMBER: Could you cover the matrix?

MR. GLEN NASH: I commented that there is a matrix. There's eighteen items in the matrix --

AUDIENCE MEMBER: Could you walk us through those?

MR. GLEN NASH: Yeah. I don't know that we need to go over what the eighteen items are --

AUDIENCE MEMBER: If you just could answer the part of her question of what we're going to look at.

MR. GLEN NASH: Yeah. Regardless of what happens at the Project 25 meeting, we will have the answers to the 18 questions or -- you know, from which the committee can then look at the two proponents and see which one appears to be the better -- answers the 18 questions better or more completely or answers more of them in an affirmative matter. So it will give us, again, the criteria upon which to base a decision in November.

Any other questions?

Yes?

AUDIENCE MEMBER: Can you clarify -- I think we asked for a clarification yesterday that those 18 criteria are not -- we can add to that if we want to? And comment on the criteria themselves. They were only discussed last night.

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I think that may have been clarified yesterday, but I'd like to have it clarified in front of the Steering Committee as well.

MR. GLEN NASH: Again, we're on a very short time frame here, so the sooner you can make those comments or suggested additions, the much better off we're going to be here.

MS. KATHY WALLMAN: Would it be fair to say that you'd welcome essay answers, but that the specific questions here have to be answered promptly?

MR. GLEN NASH: It certainly would be preferable to have a "yes/no" and then to expand upon it, if you want to make -- particularly from the manufacturers, what we encouraged them to do was to, you know, in answering yes or no, to explain why they felt that was an appropriate answer.

MS. KATHY WALLMAN: I'm informed by Chief, who frames it just a little differently, I think more in the sense of which you're asking it. If you want to add to this list you need to do it right away. Because we need to scoop back the information.

MR. GLEN NASH: Right.

MS. KATHY WALLMAN: I'm sorry, somebody is shaking their head. What does that mean?

MR. HARLIN McEWEN: We don't mean today, but I mean it's got to be done promptly.

AUDIENCE MEMBER: Yeah, I understand there's a timing --

MS. MARILYN WARD: Do we have a date or --

MR. HARLIN McEWEN: We ought to have some sense of how quickly.

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MS. KATHY WALLMAN: Right. If the subcommittee could establish some guidelines for those who might wish to add to the list. I mean we can't -- we need to make sure this doesn't run into the next meeting, figuring what additional questions need to be asked.

Could you develop some guidance so that --

MR. GLEN NASH: Is two weeks enough time?

AUDIENCE MEMBER: Yes.

MR. GLEN NASH: Okay. So not later than two weeks from today, any additions or comments that you want to make about the criteria please submit them to the List Server so that everybody can see what they are and respond to them.

Michael?

MR. MICHAEL WILHELM: Glen, excuse me, but this proceeding is being transcribed and videotaped so any comments from the audience should be made into one of these two microphones, please.

MR. GLEN NASH: Good point. Any other questions or comments?

(No response.)

MR. GLEN NASH: I thank you all for the work you've done so far. And like I say, our intent is to make the decision in the November meeting as we published in the schedule.

MS. KATHY WALLMAN: Thank you very much, Glen.

John?

MR. JOHN POWELL: In looking at my notes I hastily skipped over one item that I would like to call to the Steering Committee's attention. I will be forwarding,

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for your consideration, a modification that was unanimously approved by the committee, as a recommendation for, primarily, a clean-up in some of the terminology in our statement of work that we would like the Steering Committee to consider, to bring the terminology in line with the definitions from the PSWAC final report that was adopted earlier.

MS. KATHY WALLMAN: Thank you. We do intend to be in conformity with PSWAC, so.

There are a few people who have made me aware of things that they would like to raise on the record. I'd like to start with one brief item. Michael, the letter from the State of Wisconsin, we had a request from one of our federal cosponsors -- two of our federal cosponsors that a short letter from the State of Wisconsin on federal access to Spectrum be read into the record.

#### LETTER FROM THE STATE OF WISCONSIN

MR. MICHAEL WILHELM: This is a one page letter dated September 22, 1999 addressed to Kathleen Wallman, Chair of the National Coordination Committee.

Dear Ms. Wallman: The State of Wisconsin supports the Federal Law Enforcement Wireless Users Group request for federal co-equal access to non-federal spectrum in the 746 to 806 Megahertz frequency band.

The State of Wisconsin believes that federal co-equal access will promote the sharing of critical communications resources that will improve communications interoperability between federal, state and local public safety agencies.

The safety of life and property can no longer afford to be compromised

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by regulations that create barriers to effective shared communications between federal and non-federal agencies.

The letter is signed by David A. Hewitt, BE, Director Bureau of Communications, Wisconsin Department of Transportation.

MS. KATHY WALLMAN: Thank you, Michael.

Do any of the federal co-sponsors care to comment on that or just leave it at that, reading it into the record?

Yes?

MR. STEVE PROCTOR: My name is Steve Proctor. I serve as the Executive Director of the Utah Communications Agency Network, a multi-agency, combined 800 Megahertz system currently being constructed in preparation for the big event and I also serve as the Executive Vice Chair on the PSWN Committee.

The PSWN Committee is a committee of state and local government representatives that serve in an advisory capacity to the PSWN group to help to achieve interoperability amongst entities. Part of those members include Mike Robinson, who's the Director of the Michigan State Police, General Paul Weak, from Iowa, Ernie VanSant, from the Corrections Department in California, myself, Greg Bishop, who's the Acting Director of the Chicago Office of Emergency Communications. I think that gives you a flavor that this is a state and local input into this federal committee.

One of the items for discussion at our meeting, which was held, in conjunction with this meeting, last Monday, is the federal access to this spectrum and cooperative efforts to do so by federal agencies. In our committee meeting on Monday,

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we voted unanimously that we believe in co-equal access by our federal partners. And our position was outlined, not only in a letter provided to the FCC, but in this plan that you have probably all seen on the back table.

Co-equal access is simply a sharing arrangement. We support the FLEWUG position and we believe that the federal users should be afforded eligibility on these channels, on a secondary basis, in order to achieve interoperability with states.

Having just been through a disaster situation in the state of Utah, specifically in Salt Lake City, I can guarantee you that we have some issues there with interoperability. Facing the upcoming Olympic events, on a personal note, I've been involved with planning with federal and state and local entities and already they're starting to draw lines on different bands that we're going to have to deal with in this event. Luckily most of the state and local government entities will be operating in the 800 Megahertz band on a combined system.

The point of this discussion is simply that the PSWN wants to echo their support for the FLEWUG position and our Committee heartily endorses the sharing of this spectrum on a secondary basis so that we can all have the ability to talk to one another.

Thank you.

MS. KATHY WALLMAN: Chief McEwen would like to make a comment.

MR. HARLIN McEWEN: I would support that. For those of you that -- I realize that I every time I go to one of these meetings, there are people that don't know me, and although I currently work for the FBI I spent 38 years in state and local law

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enforcement, so that's really where I come from and what I'm speaking to, as it relates to what Steve just said. And that is that we really -- I mean the whole process -- I think everybody agrees that at least in the way things are happening in the world today, particularly with the need for more coordination between law enforcement, fire and EMS. The same thing applies to the federal sector.

And although most of us have grown up in era where state and locals have always offered the ability for federal agencies to utilize their channels, and that's the way it's usually always worked, I think right now this is an opportunity for us to find better ways for us to work together in a cooperative way. And I did read the proposal that was on the table in the back and it does seem like a reasonable way to resolve this issue.

So I would, on behalf of the IACP, say that we would support that strongly.

MS. KATHY WALLMAN: Anybody else on the Steering Committee have a comment.

(No response.)

MS. KATHY WALLMAN: We have a comment from the audience.

MR. LARRY MILLER: I'm Larry Miller. I work for the American Association of State Highway and Transportation Officials. We're one of the FCC certified frequency coordinators.

Just a couple of quick questions, Steve. You said that the federal government wants access on a co-primary basis and then at the end of your discussion I thought you said "secondary basis." So I guess I need a clarification on that and then I guess what I really need to know is do you mean on the interoperability channels, for

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interoperability or do you mean allocations which would be made exclusively to the federal government, which would be, essentially, removing spectrum from the state and local folks?

MR. STEVE PROCTOR: I think, Larry, if you've -- have you got a copy of this (indicating)?

MR. LARRY MILLER: I -- it's sitting there. I haven't read it all yet.

MR. STEVE PROCTOR: I think if you go through that document you'll find out what co-equal access means. Without reading it -- it does not mean federal only communications systems; it does not mean primary user status; it does not mean eminent domain by the federal government; it does not mean licensing of non-federal spectrum by federal entities.

I think it's pretty clear in its documentation that it means a cooperative partnership between state and local and federal users to achieve interoperability. And I think that's solely what it's intended at.

MR. LARRY MILLER: So would it then, be limited to the interoperability channels only?

MR. RICK MURPHY: This is Rick Murphy, Co-Chair of the FLEWUG. No, it's open on a mutual, MOU understanding between federal and state. The federal government has no intent to get into that band unless there's an established, signed MOU in place with the local entities. As far as that's concerned, there's no way the federal government could just come in and say, "We're going to start licensing ourselves on this band." We are co-equal access, however, we are secondary users on

it.

But one of the reasons for it that needs to be emphasized is the protection of the capital investment it would take to become partners in any system and in order to ensure and protect the taxpayer, if we're going to invest either frequencies and/or money in anything -- and in this case it would be money, which might be several million dollars -- in a system, to have co-equal access, then we've got ensure the tax payer of some sort of protection that -- you know, in the future where you can't just arbitrarily be kicked off because the state requires a little more coverage or a little more use of the band. We have to be treated as co-equal users of the band with -- but at the same time understand that it's pivotal on an agreement with the state or local entities.

MR. LARRY MILLER: Thank you very much.

MS. KATHY WALLMAN: I just wanted to add a comment here. This was a subject of discussion at the time that the NCC was chartered and it's an issue that I've considered, that people at the FCC in positions of authority have considered and people in the cosponsoring agencies have considered.

And I think there is a degree of comfort with the notion that there would be statutory issues to make the federal users primary licensees in the spectrum, but there's also great sensitivity to the point that if you're going to encourage investment in shared systems, you can't put federal users at their peril to be kicked off.

So without -- I haven't read the paper that we were just referring to here, but this is an issue that has been factored into the scope of what we're doing here at the NCC and it's been an issue of some discussion and there's been some comfort

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reached on some of the big issues. So we're comfortable, I think, taking the statement that was offered by the State of Wisconsin and we'll take under advisement what Mr. Proctor has said and what Chief McEwen has said.

Richard?

AUDIENCE MEMBER: Well, the Forestry Conservation Communications Association would whole-heartedly support that. Wildfire suppression is a very dangerous business and it's something that happens every day of the week and we really need to be working more closely together and doing it more easily than we have in the past and this gives us a chance to do that.

MS. KATHY WALLMAN: Thank you.

MR. ART McDOLLE: Art McDole here, as a representative of APCO International. APCO International has an open membership, very many valued partnerships with the federal government, and certainly, in this instance we want to express our whole hearted support to their sharing as outlined.

Thank you.

MS. KATHY WALLMAN: Yes?

MR. STEVEN MUELLER: I might note that in Missouri -- I'm Steve Mueller from the St. Louis Police Department, representing Mayor Harmon, by the way.

In Missouri the National Guard had recognized the need for interoperability between federal, state and local operations for disaster operations. About a year ago they initiated an attempt to locate some commonality between those levels of entities and none could be found. Establishing interoperability on the 700 Megahertz would satisfy that need an allow that interoperability to occur.

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MS. KATHY WALLMAN: Chief McEwen, would you like to make reference to the interference matter that we discussed?

MR. HARLIN McEWEN: Yes. Last week while I was attending another one of my many meetings, in Columbus, Ohio, a representative of the Phoenix Police Department, Joe Hinman, called to my attention what some of you already are apparently aware of that and is a problem in Phoenix -- and apparently it may be a problem in other areas -- with the NEXTEL radio system there interfering with their mobile data terminals.

I've given a copy of this one page summary of that to Michael for the record, but I'd like to read it to all of you and use that as a preference for what I want to say about the protecting of the area that we're talking about now in the spectrum.

#### LETTER FROM THE PHOENIX, ARIZONA POLICE DEPARTMENT

MR. HARLIN McEWEN: This was sent to me. This is dated the 15th of September and it's entitled "Destructive Radio Interference - Phoenix Police Mobile Data System."

"The Phoenix Police Department Mobile Data Terminal System was installed in 1993-94 using NPSPAC channels 821-866 narrow band pairing. Coverage was measured at installation using 4,500 test points throughout the 475 square mile city limits and exceeded 98 percent with only seven of the base stations installed.

"In 1998 the infrastructure was expanded to 15 sites to cover 11,000 square miles. At that expansion the Phoenix Fire Department then joined the system to provide data service to 14 other agencies served by their

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dispatch and alarm room. Upon completion of the expansion the Fire Department experienced unpredictable coverage and contracted with Motorola to evaluate system performance, suspecting parametric differences from police units.

"In August of 1999 a police complaint was received of a specific coverage problem of at a previously known good signal strength area. The observer noted the recent construction of a tower and the subsequent inability to send or receive MDT traffic for one-half mile in any direction from that location.

"The technicians were able to repeat the interference observation at any time of the day and contacted the tower owner, NEXTEL. Additional measurements were made near several other NEXTEL sites with the same result.

"The NEXTEL stations, operating on several frequencies between 851 and 865 Megahertz overwhelmed the low power three watt MDT transceiver with total receiver desensitization from transmitter sideband noise, so that it was unable to lock into any other channel in the system. Maximum spacing between the carriers was 1.6 Megahertz.

"NEXTEL Regulatory Affairs Manager, Bob McNamara, told us that Motorola had assured them that a 1.5 Megahertz or greater spacing would not be destructive.

"Field tests were made with NEXTEL at the original problem location. With all of their transmitters in the off state, the MDT performed normally,

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scanning to its strongest BER and registering on the system. With up to three of the NEXTEL transmitters turned on the noise floor rose significantly on the spectrum analyzer, but the MDT still operated. When transmitter number four was added, the MDT unit became paralyzed.

"A total of six transmitters are employed at that site, using seven watts into a 12 dB sectorized antennae. No on-channel IM products were found. Only the composite of transmitter sideband noise from four or more simultaneous key-ups.

"Similar desentization results are demonstrable near any NEXTEL site, with those using higher antennae elevations creating an even larger ring of destructive interference.

"This situation creates a pronounced officer safety problem, with an unreliable MDT coverage for emergency alerting to the dispatcher and adjacent units."

And there's a contact here, and that will be in the record. And I read that into the record for the reason that on behalf of the NCC, Chairman Wallman recently wrote a letter to the FCC expressing concern on all of our part about the possibility of interference in these channels that we're considering and protecting them. And I'd like to make the point and recommend that we strongly consider pursuing that with the FCC and any other way that you think, Kathy, or any of you in this room feel that would be appropriate as we move forward with this process.

If we don't build -- and I'm not a radio engineer and I'm not a technical guy

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in the sense that most of you in this room are, but if we don't build fences or find some way to protect these channels, this 24 Megahertz of spectrum that we're now working so hard to prepare to use and we don't, in some way, make sure that whatever the adjacent use of these channels is doesn't, in some way, interfere or cause a great deal of problem, we're really missing the boat. And I think Dave and some of the rest of you have talked about this and we would like to have your advice and help as we move forward with that.

MR. DAVE BUCHANAN: Dave Buchanan, County of San Bernadino. I just wanted to comment because we've had -- one of our cities, City of Ontario, in our county, is having a similar problem on the voice end of things and there appear to be three NEXTEL cell sites that cause interference anywhere from -- basically within about a quarter of a mile of the cell site and they all seem to be in an area that has a high incident of crime that the police are there quite a bit.

So it's been a real headache for the police units there. And what it appears to boil down to is just the fact that the number of transmitters in one location that NEXTEL has, the sideband noise, if you will the noise floor, gets raised to the point that particularly the portables just will not operate; the front end is overloaded.

And there's a combination of things that make it better and cure it. One is that NEXTEL has done some work with their transmit combiners which lowers the noise floor and the other is looking at receivers that have a better front end, better receive specs; one of the things that we've already been. So certainly in this new band, anything that we could do that would keep that from happening, any buffers that we need from the other spectrum that's being auctioned off I think definitely needs to be

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looked at. And I'd be happy to put together something for you on that situation if you would like. Whatever you would like.

MR. HARLIN McEWEN: My understanding is there may be more than one way to deal with this and those options I think we should have at our disposal as we try to come up with a decision on how to do that.

One of the things that's going to be difficult is that obviously when you talk about this -- and we all kind of smile among ourselves, because most of us, you know, are in public safety and that's why we're here, but the fact of the matter is that if there's going to be any buffers, we're -- you know, we should be suggesting that they be taken out of the adjacent commercial space, not out of our 24 Megahertz of space. That's not going to be very popular, but I think we've got to be strong on these things and be right up front about it early on, that's all.

MR. RON HARASETH: Ron Haraseth, with APCO International. The incident with NEXTEL, obviously, is just one of several around the country that we've been aware of and are working on in our interference work that we do and it points out the need to be very considerate about what we do in the 700 band.

About a month and a half ago, several of us within APCO, including Joe Hanna and myself visited several of the Commissioners and this is one of the discussion items that we had, making them aware of the need to protect the channel 63, 64, 68 and 69 that public safety is obtaining, by putting compatible -- when they go to the auction process, to put some sort of compatible services and guard bands protecting the public safety channels.

And I would suggest that the NCC further that by visiting with the FCC on

this issue and that any of the other agencies, individually or associations, also press this point home with the FCC.

MS. KATHY WALLMAN: The letter that Chief McEwen referred to, that I sent after consulting with other Steering Committee members, basically laying down a marker, saying that the FCC's good work in forming the NCC to make sure that this spectrum would be available might all be for nought if adequate attention were not paid to this particular problem.

In that letter we generally alerted the FCC to the problem. We didn't specifically suggest the guard band, but we put down a marker so that we could create a climate in which multiple solutions could be suggested.

What I take from Chief McEwen's remarks is that it may be time for us to be more active with the FCC and more specific, so that this problem is not overlooked in the enthusiasm to transition to DTV, which we're enthusiastic about, too, because all of our work is premised on that happening. But we will, with your advice, continue to engage with the FCC to try to make this come out right.

The letter itself is part of the docket in the relevant proceeding and we will make sure that it is posted at the NCC page for anyone that may want to look at it.

Are there any other issues that Steering Committee members would like to raise?

MS. MARILYN WARD: The National Public Safety Telecommunications Counsel, known as NPSTC, has written a letter to Ms. Wallman, in regards to a pre-coordination, pre-allocation type of notebook, commonly called a database, to be used by the Regional Planning Committees.

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The purpose for this notebook is so that the different regions will be able to know what the other regions are doing and so that these groups will not be assigning the same channels and there won't be arguments about who's doing what.

One of the issues back in the days that we had the NPSPAC channels was that there was no common database for coordination and --

MS. KATHY WALLMAN: And if we don't coordinate we will all be in the dark.

MS. MARILYN WARD: Right. I don't know if that meant we were on or off here, but -- so NPSTC got together and asked NLECTC, Tom Tolman's group out in Denver, if they would support the development and administration of a common database for use by the Regional Planning Committees. This is not a coordination database by any means, as far as the coordinators are concerned, it's for use by the Regional Planning Committees and information would be available on-line, downloaded into the Regional Planning Committees' computers, used by them and administered by the Rocky Mountain Group and be loaded back up so that everyone could see.

We've also come up with a flow chart of how the information would end up at the coordinators and how the actual frequency coordinators would do the final coordination on it and then forward the information to the FCC.

So we've asked the NCC to support the development and use of this database by all regions. The only way that it will work is if all the regions are putting the information in so that their adjacent regions will be able to see what their work has been.

So this letter is on the desk out front if anyone is interested in it. We did

discuss this morning in one of the Work Groups.

MS. KATHY WALLMAN: So this will also be coming up through the Working Group Subcommittee structure, too, right?

MS. MARILYN WARD: We discussed it there also, yes, with DeMello's group.

MS. KATHY WALLMAN: Okay. Any comments on that subject?

MR. HARLIN McEWEN: Do you need any action today on this or is this not appropriate?

MS. KATHY WALLMAN: We're discussing up here in side bar, what next, now that the letter has come officially to me, as the Chair of the Committee. And my thought is that we should vet it through the working group and subcommittee structure and then, insofar as it becomes the subject matter of a recommendation, then we have a vehicle to advance it as part of the NCC recommendations and report to the FCC.

MS. MARILYN WARD: Right. And we would want that to happen quickly. The reason I say that is that there's RFPs that have to be written and it has to be built. So to be used it has to be ready whenever the spectrum is ready and the final is done.

MR. ROBERT SCHLIEMAN: Robert Schlieman, New York State Police. I just wanted to emphasize the importance of this database, to make sure that everybody's playing off the same sheet of music, as it were, both the regional planners and the frequency coordinators, so we don't get into any contests about who's using what.

MR. RICHARD DeMELLO: Richard DeMello here, Second Vice-Chair of the Implementation Committee. Is November okay on that?

MR. HARLIN McEWEN: Yes.

MR. RICHARD DeMELLO: Then we'll make sure it's on the agenda for November, even though we did go around the issue today, we did not specifically attack that document and we'll make sure it's on the agenda. Thank you.

MS. KATHY WALLMAN: Any other issues from the Steering Committee?

(No response.)

MS. KATHY WALLMAN: I wanted to talk a little bit about where we go from here between now and February. The last week in February our report to the FCC is due and we have three meetings scheduled. The next one, the November meeting that was just referred to, is the 19th in New York City at One Police Plaza and that's courtesy of Lieutenant Ted Dempsey, who able to help us arrange that venue.

As you know, we're trying to have some of the meetings outside of Washington, DC and where the meetings can be tagged on without great inconvenience to other meetings and where there's a critical mass of people who work on this issue, we've tried to do that. So New York City turned out to be one such venue.

In January we propose to have two meetings. December, when we tried to coordinate a meeting, turned out not to very good for a lot of reasons, some of which relate to regular year end business and some of which relate to Y2K travel restrictions. So we're going to skip December as a meeting month and plan for two meetings in January.

The first will be in Washington, DC on the 14th -- and in each of these cases I should add that we will plan for Subcommittee meetings the day before the NCC meeting, so November 18th would be a Subcommittee day in New York City and

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January 13th in Washington, DC, with the Committee meeting to follow on the 14th. On the 28th we would meet in San Francisco, with Subcommittee meetings the day before, the 27th.

We've done two in January, partly to make up for December and partly just to make sure that we have all the time that we need together as a full Committee and for the Subcommittees to meet, so that we can make sure that we come in on time with a report.

I know that I'm personally committed and the Steering Committee is committed and I know that all of you are committed to meeting the deadline that the FCC has imposed upon us in our Charter and I'm fully confident that we can do it, inspired as I am, by the early delivery of the trunking report.

So that's the schedule that we plan and mentioning the meeting in San Francisco gives me the opportunity to introduce Louise Renne, who has been courteous enough to extend that venue to us in January.

And Louise, I know, personally, that it's not easy to get here from San Francisco, so we welcome you here.

MS. LOUISE RENNE: Well, I went to Michigan State, so this is a great place to be.

MS. KATHY WALLMAN: Very good.

MS. LOUISE RENNE: Go Spartans.

MS. KATHY WALLMAN: Very good. Okay. We normally have, at the end of our meetings, a sort of open mic time and I don't have any humorous sponsor of open mic time as we have in the past, although I'm pleased to refer to you that one of

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our previous open mic hosts, Paul Fishman, recently became the President's nominee to serve as the United States Attorney for the District in New Jersey. So he's in the process of that very exciting transition.

So good things happen when you volunteer for this kind of work.

(Laughter.)

MS. KATHY WALLMAN: But anyway, absent a humorous host, you'll have to put up with me. And let me just invite anyone who has an issue that they'd like to raise from the floor to step to a microphone and speak.

MR. BOB LEVAC: Hello, Bob Levac, State of Hawaii, without a voice. Just to revisit this adjacent band issue, where you're looking to suggest compatible services or guard band, it comes to mind that we probably can do some technical things, such as have really effective technical standards, some kind of a performance mask, but I don't think the State of Hawaii is going to get there before NEXTEL does.

I really think that these other commercial services will beat us to the punch in getting these services deployed on adjacent bands and when we show up and we find that frequencies are unusable, for whatever reason, and they're operating within the mask, they're operating fully legally, we have no ability to move them. And I'm wondering if there's any intention or any possibility of getting some kind of regulatory relief, such that we show up and for whatever reason they render us unusable, that they can be moved or shut down?

Can that be built into this auction process? Can we ask for that or is that completely off the chart in terms of how we can do it?

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MR. MICHAEL WILHELM: The Commission has received comments and reply comments in the proceeding dealing with the allocation of the adjacent spectrum. There's still the opportunity to make ex parte contacts and for those of you not familiar with the term, that is a written or oral contact with a decision making member of the FCC staff in which you advance your position and you must follow that up with a letter filed with the FCC secretary, which either encloses your written submission or summarizes your oral submission, so that all parties have notice.

And if anybody desires to do that and needs additional information, they can contact me. Thank you.

MR. CARLETON WELLS: Carleton Wells, State of Florida. As the subcommittees do their work and submit their reports to the NCC Steering Committee, I'd ask that the Steering Committee give attention to where the subcommittees and the reports are assigning responsibilities for the interoperability channels, such as planning for them, either establishing standards or handing down guidelines for the Regional Planning Committees, such that we don't unintentionally abandon our responsibilities for those interoperabilities; nationwide standards and nationwide guidelines.

MS. KATHY WALLMAN: So you're saying basically, be careful not to give in to the temptation to punt a lot of things to the RPC's because -- okay.

MR. CARLETON WELLS: Because either failure for us to reach consensus or -- just take the bull by the horns and make a decision.

MS. KATHY WALLMAN: Okay.

MR. HARLIN McEWEN: I agree fully. So I would support what you said. And for those of you haven't quite thought out what he's saying, I think that the issue is

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that we have to have a strong national plan and not allow for a lot of fragmentation in the Regions; otherwise we don't really accomplish what we're trying to do here all collectively.

We're from the whole country and we're trying to make a nationwide system, so I think there's a lot of feeling in this room that we can't just kind of let this float away from us.

So we want the regional people to have some ability to do their own planning, but within a nationwide structure and guide. I support that.

MR. RICK MURPHY: And the FLEWUG has to also agree with what Chief McEwen is saying, because we've also, in our filing, stated the same thing, you need a strong national committee and be able to coordinate this among all the RPCs as well.

MS. MARILYN WARD: NPSTC also agrees with that whole-heartedly.

MS. KATHY WALLMAN: Other issues from the floor?

(No response.)

MS. KATHY WALLMAN: All right, going once --

Ernie?

MR. ERNEST HOFMEISTER: Just one more comment on this interference. I think we're all in agreement that we need to protect this band and it sounded like we we're wanting to be more pro-active, but it's sort of unclear to me what steps are going to be taken by the NCC and how we're going to be more pro-active with the FCC. Is there something we could do, in terms of coming up with a plan by the next

meeting, of "We're going to do this, this and this"?

MS. KATHY WALLMAN: I think that there will be an opportunity for us to discuss it on an upcoming conference call, Steering Committee conference call, and we should be in touch with the list service as we go along; if people have ideas that occur to them coming out of this meeting. But one thing I plan to do on my own is, since I have a letter pending at the FCC, is to call the FCC and say, "Well, I have raised this issue. What's your plan for dealing with it?"

I mean we can become more and more specific if we need to, but we do have an expression of concern on the record and, in principal, they should share it. So I think the first thing you do is you find out what their plan is for making sure they don't undo their work and ours.

Yes.

MR. RON HARASETH: Ron Haraseth, APCO and also, the Work Group Leader for the Spectrum Utilization Subcommittee of the Technology Subcommittee. We've already had some discussion and some input in our group as to who -- how we would like to see these adjacent bands auctioned or the eligibility applied to those bands. We will be working on that.

We also have some material already that addressed the interference criteria and levels that we would like to see applied to these adjacent bands, the compatible uses of the people in adjacent bands and what not.

So we will be working on this and hopefully that will be part of the complete NCC report.

MS. KATHY WALLMAN: Thank you.

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Glen?

MR. GLEN NASH: Glen Nash, and speaking right now as the Chairman of the Technology Subcommittee. I think this interference issue is probably going to end up falling within the responsibility of my Subcommittee.

Sitting here just, you know, kind of running ideas quickly through my head, one thing that kind of came to mind is the description of the interference in the Phoenix area, suggests that what we're faced with here is something that is kind of -- especially being new and unique for the Commission's consideration, and that is that the interference is not the result of a single transmitter, it's the net effect of several transmitters that are co-located.

Which means, you know, to mitigate the problem that some sort of rule would need to consider the net effect of multiple transmitters at a single site or at nearby sites, which becomes not a simple problem for the Commission to regulate and not a simple -- you know, while we may be able to talk about total energy into the 746, the public safety portion of the band, looking back at it, you know, how does the Commission deal with the net effect of multiple transmitters, which might be multiple licenses into our portion of the band?

That becomes a very difficult problem for the Commission to deal with.

MR. HARLIN McEWEN: I was thinking of it a little bit differently and of course the NEXTEL thing is a little different, but rather than to be thinking of quite that way, Glen, I was thinking of it more in terms of our setting forth somewhat of a requirement request to the FCC that some band, some spacing on each side of these

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group of channels that we're going to be using be used for only something that's very compatible to what we're doing.

In other words, something -- without getting into whether you've got multiple base stations or multiple transmitters or whatever it is -- we really don't care what it is. All we want to do is protect us from any interference that might make those channels ineffective.

So we want to be, I think, fairly broad in the way that we describe what it is that we want them to do, so that it kind of protects us no matter what happens.

I mean I don't believe anybody -- maybe they did -- anticipated the NEXTEL problem, as it now, has all of a sudden, popped up on us and all of a sudden it's there. The fact is that if we'd had some protection in our NPSPAC allocations that said if anything like this occurred, where it made public safety channels ineffective, that there was some redress, why then we'd have been protected, but we didn't do that.

And really, I mean right now it's like somebody said, they're not operating outside the law and it wasn't an anticipated problem, but we have to have some kind of protection.

We need to have some way to say that anybody using this, say one and a half Megahertz of space on each side of our group has to be forewarned that if you do anything that's going to cause a problem to those public safety adjacent channels, you may be forced to change your system or get off the band or whatever; you know, something like that.

MR. RICHARD DeMELLO: Dick DeMello here, FCCA. Many of think of this interference in relationship to one transmitter or two transmitters or whatever.

Really the FCC has come out with a bunch of rules protecting individuals from RF radiation and you really look at the whole system, you look at a whole mountain, whatever you want to look at -- a building top.

And I think this may be analogous to that, where we're looking at an area. And whether the area be a bunch of spectrum or two or three owners or whatever mixing together causing this problem.

So I don't think that we necessarily have to be feeling that we're stretching what we've done in the past or whatever, because the Commission has come up with this "look at all the transmitters in the area" thing in personal protection.

MS. KATHY WALLMAN: Other comments?

(No response.)

MS. KATHY WALLMAN: All right. Well thank you very much for coming to today's meeting and I look forward to working with you and bringing this to fruition in our first phase in February of 2000 and seeing you at the intervening three meetings.

Thank you very much everyone and have a safe trip home.

(Whereupon the meeting was adjourned at 2:48 p.m., Friday, September 24, 1999.)

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REPORTER'S CERTIFICATE

TITLE: Public Safety National Coordination Committee

MEETING DATE: September 24, 1999

LOCATION: Lansing, Michigan

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Public Safety National Coordination Committee.

\_\_\_\_\_ Paul W. Mayes