

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

In the Matter of )  
 )  
Amendment of Certain Part 90 Subpart S ) RM-11978  
800 MHz Rules (809-816/854-861 MHz) to )  
Promote More Efficient Use of Spectrum )  
Within that Band Segment )

To: The Commission

**Comments on the  
PETITION FOR RULEMAKING  
OF THE  
ENTERPRISE WIRELESS ALLIANCE**

The California Public Radio Association (CPRA) respectfully submits comments on the above Enterprise Wireless Alliance (EWA) Petition for Rule Making. CPRA<sup>1</sup> is a Chapter of APCO International<sup>2</sup> and was founded in 1935. CPRA is the Southern California Chapter of the Association of Public-Safety Communications Officials (APCO) which is an international leader committed to providing complete public safety communications expertise, professional development, technical assistance, advocacy and outreach to benefit our members and the public.

EWA proposes modifying Part 90 Subpart S rules to eliminate the provisions assigning frequencies within the 809-816/854-861 MHz portion of the band (“800 MHz Band Segment”) to specific “pools” of eligible entities. CPRA opposes this elimination of the pool channels. In discussions with CPRA members, the consensus of members is that the “public safety pool” channels protect public safety agencies from business and SMR interests that can rapidly license channels in a given area. This can

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<sup>1</sup> CPRA serves the California County of San Luis Obispo, Kern, Santa Barbara, Ventura, San Bernardino, Los Angeles, Orange, Riverside, San Diego and Imperial.

<sup>2</sup> A link to APCO International - <https://www.apcointl.org/community/about/>

exhaust the channels available for licensing by public safety agencies as their population grows or needs change and as the budget allows the buildout of new or expanded radio systems. CPRA meets monthly and has a frequency coordination committee that discusses license applications. A recurring theme is how hard it is to find usable frequencies in any band. EWA claims that eliminating the pool designations and making all the midband channels “general use” would allow better access for users to license channels that are unlicensed in given area. While that may be true, public safety agencies cannot just license and construct systems to meet future needs. It can take many years before funding is available to expand or build a new system. During this time business entities can license all available frequencies in a congested area. That can and has forced public safety agencies to purchase spectrum from business or SMR license holders at great expense to tax payers.

Currently the public safety pool frequencies are a safety net for public safety agencies to be able to meet future needs. Also, at least in Southern California, agencies cooperate and where terrain allows, will, via Letters of Concurrence, short space locations that normally cannot be licensed on a given frequency. CPRA members are very worried about loss of protection that dedicated public safety pool frequencies provide for future needs.

If the Commission agrees with EWA, CPRA requests the Commission exempt the public safety pool from the conversion of the other pools. This would allow the continued protection for public safety while monitoring how the change impacts licensing of the 800 MHz midband frequencies. Hopefully the change would benefit all users, including public safety agencies with better access to frequencies that are underutilized today. However, without real world knowledge of the impacts to public safety, it is prudent to exempt the public safety pool channels.

Respectfully Submitted,

California Public-Safety Radio Association

A handwritten signature in cursive script that reads "Terri Nelson". The signature is written in black ink on a light-colored background.

By \_\_\_\_\_

Terri Nelson  
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