

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

In the Matter of)
) WT Docket No. 24-80
Exelon Corporation Requests for Waiver)
of FCC Rule Section 90.613)

To: Chief, Wireless Telecommunications Bureau

**COMMENTS
OF THE
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA”), in accordance with Section 1.415 of the Federal Communications Commission (“FCC”) rules, respectfully submits its comments in response to the requests of Exelon Corporation (“Exelon”) for waiver of Rule Section 90.613 (“Waiver Requests”).¹ Exelon seeks approval of two 800 MHz channel pairs for secondary mobile-to-mobile communications in each of its service areas to supplement its extensive 800 MHz repeater network. EWA supports the Waiver Requests and urges the Wireless Telecommunications Bureau (“WTB”) to grant the requested relief promptly.

The rules governing the Part 90 800 MHz band (809-817/854-862 MHz) are designed generally to support base-mobile communications through fixed repeaters that extend the coverage range. This licensing structure has worked well over many decades to serve the communications requirements of public safety, industrial, and commercial licensees with reliable, largely interference-free communications networks. However, these rules, like all FCC

¹ *Wireless Telecommunications Bureau Seeks Comment on the Exelon Utilities’ Requests for Waiver of Section 90.613*, WT Docket No. 24-80, Public Notice, DA 24-232 (rel. Mar. 11, 2024) (“Public Notice”). The Public Notice explains that six Exelon subsidiaries operating in five states and the District of Columbia seek the same waiver relief. Their individual applications and waiver requests have been consolidated in this FCC proceeding.

rules, are intended to support the safety and efficiency of licensees' operations. As detailed in the Waiver Requests, and as recognized in the precedents cited in those requests, the FCC has recognized that certain operational requirements warrant limited relief from that system configuration.

Exelon described the geographic scope of its service in its Waiver Requests. The company serves more than 10 million customers through six transmission and distribution utilities, each of which is responsible for an expansive service area. These areas include urban, suburban, and rural communities. The terrain is equally varied and not always optimally suited for typical 800 MHz coverage. Importantly, the Waiver Requests detail the potentially hazardous tasks in which its employees engage, such as feeding high-voltage transmission lines across towers, where immediate communications between personnel at both ends is essential. Even the very brief delays that occur when communicating through a repeater may compromise the safety of those employees. Working in basements and underground locations presents another challenge as 800 MHz repeater systems typically cannot provide coverage into those areas.

It is not practical or safe for Exelon employees engaged in dangerous activities or working below ground to have to use a different radio for direct communications. The better solution is the one proposed in the Waiver Requests: 800 MHz channels used only in specific, typically brief instances for mobile-to-mobile transmissions on a secondary basis. Given the very limited, intermittent use of these channels, EWA believes the likelihood of interference to a primary user is exceedingly remote. In the unlikely event that occurs, Exelon, like all secondary users, will be responsible for resolving the matter promptly and at its own expense.

For these reasons, EWA strongly recommends prompt approval of Exelon's Waiver Requests.

Respectfully submitted,

ENTERPRISE WIRELESS ALLIANCE

By: 

Robin J. Cohen
President/CEO
13221 Woodland Park Road
Suite 410
Herndon, Virginia 20171
(703) 528-5115

Counsel:

Elizabeth R. Sachs
Lukas, LaFuria, Lantor & Sachs, LLP
8350 Broad St., Ste. 1450
Tysons, VA 22102
(703) 584-8678

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