

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

In the Matter of	)	
	)	
Amendment of Sections 90.20(d)(34) and 90.265	)	PS Docket No. 13-229
of the Commission’s Rules to Facilitate the Use	)	
of Vehicular Repeater Units	)	RM-11635

To: The Commission

**COMMENTS  
OF THE  
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its Comments in the above-entitled proceeding.<sup>1</sup> The NPRM seeks comment on a variety of issues related to the deployment of vehicular repeater systems (“VRS”) by public safety (“PS”) licensees.<sup>2</sup> Specifically, the Commission is seeking input on rule changes that would expand the number of frequencies available for VRS by modifying Sections 90.20 and 90.175 to permit low power voice operation on six 173 MHz remote control and telemetry channels that are shared by Industrial/Business (“I/B”) and Public Safety (“PS”) licensees.<sup>3</sup>

There is no dispute that VRS capability is an important communications option for PS entities, and its use should be facilitated. VRS enhances the safety of PS personnel by extending the coverage of hand-held units, in particular, but not limited to, enhanced in-building coverage.

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<sup>1</sup> In the Matter of Amendment of Sections 90.20(d)(34) and 90.265 of the Commission’s Rules to Facilitate the Use of Vehicular Repeater Units, *Order and Notice of Proposed Rulemaking*, PS Docket No 13-229, RM-11635, 28 FCC Rcd 13544 (2013) (“NPRM”).

<sup>2</sup> Industrial/Business (“I/B”) licensees are permitted to operate VRS, but such systems are deployed almost exclusively by PS entities.

<sup>3</sup> The Order portion of the document rejects the proposal to expand VRS options by allowing such systems to be deployed on nine Federal and forest firefighting channels at 170-172 MHz. NPRM at ¶ 19.

The Commission already has recognized the value of this functionality by authorizing such operations pursuant to Section 90.247.

The issue in this proceeding is whether the rules should be modified to allow VRS on additional VHF spectrum and, if so, what spectrum should be made available for that purpose. Pyramid Communications, Inc. (“Pyramid”), a vendor of VRS equipment, filed the Petition that initiated the proceeding. Pyramid argued that VHF presents a particular challenge, because VRS units must be separated by 2-5 MHz from the entity’s main licensed frequencies and claimed there are insufficient VHF PS frequencies that remain available for VRS use.<sup>4</sup> Pyramid therefore requested rule changes to permit VRS operations on the remote control/telemetry channels at issue herein and/or on the forest firefighting channels. The FCC already has rejected the latter proposal.<sup>5</sup>

In its comments on the Pyramid proposal, EWA had concluded tentatively that introducing appropriate frequency coordination processes to be adhered to by all frequency advisory committees, I/B and PS alike, could permit VRS voice operations to be introduced onto these data channels in defined locations without creating instances of harmful interference. However, these frequency coordination processes must be fair and equitable to both incumbent telemetry operations and any proposed VRS operations. For example, are these very different telemetry and VRS operations capable of sharing channels on a co-equal basis? Could there be geographic exclusion zones established to protect incumbent telemetry operations from VRS voice operations, or should there be areas of operation where concurrence must be secured from incumbent systems prior to VRS application certification? Or should VRS voice operations be

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<sup>4</sup> NPRM at ¶ 5.

<sup>5</sup> See n. 3 *supra*.

permitted only on a secondary, non-interference basis? Answers to these critical questions are necessary, as data telemetry and VRS operations are not typically optimum channel partners.

EWA has carefully reviewed the filings of the American Petroleum Institute and UTC and is persuaded that until such time as appropriate, frequency coordination protocols are agreed to by both I/B and PS interests, protocols that would serve both telemetry and VRS operators, the rules should not be changed to permit VRS deployment on the six shared PS and I/B channels, except through the already available waiver process. Substantially more analysis needs to be performed to determine the risk of interference to incumbent telemetry systems from VRS operations and to identify what protection criteria should be imposed if VRS is authorized on these channels.

Indeed, before modifying the rules to make important I/B spectrum available for this PS use, the FCC should investigate two important issues. First, the Commission must understand the criteria used by PS frequency coordinators to determine VHF channel availability, including for VRS operations. The FCC rules define the standard that permits both PS and I/B VHF applicants to qualify for channel exclusivity.<sup>6</sup> If PS applicants are being awarded protection beyond that specified under the rules, it is not surprising that the supply of VHF PS channels appears inadequate. Importantly, if that is the case, the solution is not to authorize further encroachments on I/B spectrum to meet exclusively PS requirements.

Second, in light of the importance of VRS capability to the PS community, it is incumbent upon it to work with equipment vendors to investigate improved filtering and other technical solutions that would permit a reduction in the VRS frequency separation requirement. The NPRM seeks information on this issue, and EWA encourages PS users and their vendors to

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<sup>6</sup> 47 C.F.R. § 90.187.

address this issue in detail before seeking what effectively is a repurposing of I/B spectrum for PS use.

**ENTERPRISE WIRELESS ALLIANCE**

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## Your submission has been accepted

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