

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

In the Matter of)
)
Implementation of Sections 309(j) and 337) WT Docket No. 99-87
of the Communications Act of 1934 as Amended)
)
Promotion of Spectrum Efficient Technologies) RM-9332
On Certain Part 90 Frequencies)

To: Wireless Telecommunications Bureau

**COMMENTS
OF
GOVERNMENT WIRELESS TECHNOLOGY & COMMUNICATIONS ASSOCIATION**

The Government Wireless Technology & Communications Association (“GWTCA”), through counsel and pursuant to the Public Notice released by the Wireless Telecommunications Bureau on September 26, 2016, hereby respectfully submits its Comments in the above-referenced proceeding.¹

I. BACKGROUND

The Government Wireless Technology & Communications Association (“GWTCA”) is a newly-established non-profit trade association created to advocate on behalf of government and non-government users of wireless technology and communications in the public service industries, such as public transit.² GWTCA’s membership includes government agencies, manufacturers, engineers and consultants working on a variety of issues impacting represented users. As government agencies and transit operators utilize UHF and VHF spectrum (both public safety and

¹ DA 16-1087, released September 26, 2016.

² www.gwtca.org.

non-public safety) impacted by the Waiver Request, GWTCa has a significant interest in this proceeding.

In this proceeding, the Wireless Telecommunications Bureau (the "Bureau"), is requesting comments on the Waiver Request submitted by the International Municipal Signal Association ("IMSA") on August 19, 2016. IMSA requests that the Commission waive the requirement in Section 90.203(j)(4)-(5) of its Rules to require that applications for type acceptance of certain Part 90 land mobile radio equipment have 6.25 kHz (or equivalent efficiency) bandwidth capability. The 6.25 kHz requirement became effective on January 1, 2015, after a similar request was submitted by Ritron, Inc. on September 21, 2012 to delay the deadline.

GWTCa does not support the Waiver Request. As discussed herein, IMSA's concerns are, at best, speculative. Since implementation of the requirement, radios available in the band with 6.25 kHz capability have proliferated, without an increase in cost. Further, there is no rationale for requiring a single 6.25 kHz standard. Doing so would disenfranchise tens of thousands of users which have chosen one of the two dominant 6.25 kHz transmission technologies, with absolutely no benefit to users.

II. COMMENTS

The Commission long ago decided that the Part 90 VHF and UHF bands should be narrowbanded through the type acceptance process. While the industry needed a push to achieve 12.5 kHz maximum bandwidth throughout the industry, the Commission has not set a deadline for a 6.25 kHz (or equivalent efficiency) maximum bandwidth standard. However, given the growth in acquisition of 6.25 kHz capable equipment, it is unlikely that the Commission will ever need to take action on a mandatory transition date.³ Waiver of the equipment requirement at this time

³ A review of the Commission's database as recently as 2015 reveals that more than 50,000 licenses have been issued with a 6.25 kHz emission designator, without counting licenses with a Project 25 emission designator.

would unnecessarily delay that transition by enabling some users to utilize non-compliant equipment, which will then have to be replaced.

Should the Commission waive the 6.25 kHz requirement, the Commission will find it necessary to engage in an additional rule making proceeding to mandate the 6.25 kHz equivalent efficiency mandate. In doing so, users with 12.5 kHz-only analog radios will have to replace their units, causing the Commission to needlessly revisit the difficulties experienced in the 12.5 kHz maximum bandwidth transition. It is doubtful that the Commission wishes to revisit the exercise that was the initial mandatory narrowbanding process.

IMSA has not demonstrated any benefit to a further delay. Rather, IMSA's position is that costs of radios **may** increase. However, 6.25 kHz efficiency has been a requirement for new type accepted radios since January 1, 2015, and has been available from most manufacturers since well before then. Thus, unlike perhaps the 2012 extension, there is ample empirical evidence available to demonstrate a cost problem.

While GWTCa understands that there are end users who are concerned with potential price increases due to the 6.25 kHz requirement on manufacturers, the fact is that these already mandated units have already been in the marketplace, and there is no evidence of price increases of dual mode analog/digital radios of which GWTCa is aware. While GWTCa encourages the Commission to continue to monitor the marketplace, without evidence, the Commission should stay its current course.

For this same reason, the Commission should refrain from mandating a single 6.25 kHz technology. Two technologies have been adopted by thousands of users in the marketplace, in roughly the same proportion (along with P25 Phase 2 for those public safety users needing such capabilities), which can be interoperable on analog mutual aid channels where needed, and there

is no valid rationale for requiring users of either technology to change at this time. Each technology provides unique capabilities, features and services amongst which users may choose from to meet their individual needs. A robust marketplace has developed which should not be stymied by the Commission. Doing so would be the ultimate price maximizer of which IMSA is concerned.

III. CONCLUSION

GWTCa believes that the IMSA Waiver Request is unnecessary and would be counterproductive to the Commission's spectrum efficiency goals. WHEREFORE, the premises considered, it is respectfully requested that the Commission DENY the Waiver Request submitted by the International Municipal Signal Association.

Respectfully submitted,

GOVERNMENT WIRELESS TECHNOLOGY
& COMMUNICATIONS ASSOCIATION

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