



## LAND MOBILE COMMUNICATIONS COUNCIL

November 20, 2014

Office of the Secretary  
Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Request for Acceptance of Late-Filed Comments  
ACD Telecom, LLC Request to be certified as a Frequency Advisory  
Committee (FAC) – PS Docket No. 14-148 (DA 14-1292)

Dear Madame Secretary:

The Land Mobile Communications Council (“LMCC”) respectfully requests acceptance of its late-filed Comments in this matter<sup>1</sup>. These comments do not take a position on the merits of ACD Telecom’s request to be certified as a frequency advisory committee (“FAC”) for several public safety-only bands specifically.<sup>2</sup> However, the LMCC does recommend that the FCC take this opportunity to clarify certain aspects of FAC-certification criteria.

One of the fundamental requirements for receiving FCC-certification is that the entity must be “representative” of the applicants and licensees that it serves. This has been interpreted consistently by FACs to mean that they are to be overseen by and responsible to licensees for whom frequency coordination services are provided.

In the opinion of the LMCC, this requires FACs to have a representative governance structure that directly oversees the development and implementation of all FAC-related policies and procedures. Those serving in that capacity should be appointed or elected by their peers, and not chosen by the very FAC staff whose activities they are to oversee. Whether those activities are performed entirely by FAC employees or contracted to others, the FAC governing body must be accountable for ensuring that the Commission’s standards for representativeness, non-discrimination, technical expertise, and nationwide coordination capability are fully satisfied. FCC certification of any entity that does not have an independent governance structure would undermine the credibility

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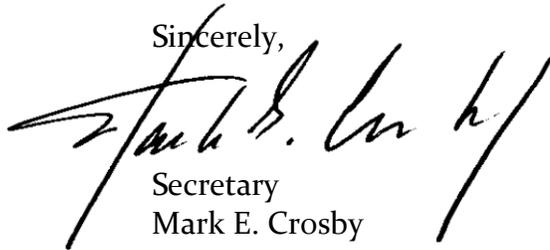
<sup>1</sup> See PS Docket No. 14-148 (DA 14-1292).

<sup>2</sup> See request for Certification as a Frequency Coordinator for Public Safety Frequencies filed by ACD Telecom, LLC on July 25, 2014.

of the entire frequency coordination process upon which the Part 90 spectrum is made available.

We appreciate the opportunity to address this important issue, as the FCC considers requests from entities that seek FCC certification as a Part 90 FAC.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Crosby". The signature is stylized and written in a cursive-like font. It is positioned to the left of the typed name below it.

Secretary  
Mark E. Crosby

## Your submission has been accepted

<b>ECFS Filing Receipt -</b>		
<b>Confirmation number:</b> <b>20141120703487</b>		
<b>Proceeding</b>		
	<b>Name</b>	<b>Subject</b>
	14-148	ACD Telecom, LLC Request for Public Safety Frequency Coordinator Certification
<b>Contact Info</b>		
<b>Name of Filer:</b> Land Mobile Communications Council		
<b>Email Address:</b> mark.crosby@enterprisewireless.org		
<b>Attorney/Author Name:</b> Mark E. Crosby		
<b>Address</b>		
<b>Address For:</b> Filer		
<b>Address Line 1:</b> 2121 Cooperative Way		
<b>Address Line 2:</b> Ste. 225		
<b>City:</b> Herndon		
<b>State:</b> VIRGINIA		
<b>Zip:</b> 20171		
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