

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

In the Matter of)
)
Petition for Rulemaking in the Matter)
of Subpart L of Part 90 of FCC Rules:) RM-11915
Updated Method to Determine Potential)
Interference Between Land Mobile Stations)
and Digital Television Stations Operating)
in the 470-512 MHz Band (“T-Band”))

To: The Commission

**REPLY OF THE
NATIONAL WIRELESS COMMUNICATIONS COUNCIL**

The National Wireless Communications Council (“NWCC”) (previously the Land Mobile Communications Council (“LMCC”)), in accordance with Section 1.405(b) of the Federal Communications Commission (“FCC”) rules, hereby submits its Reply to the Comments of the National Association of Broadcasters (“NAB”) in the above-entitled proceeding.¹ The proceeding involves an LMCC Petition for Rulemaking recommending that Section 90.309 governing the protection of television stations by land mobile systems operating in the 470-512 MHz Band (“T-Band”) be updated.

As explained in the NWCC Comments, the proposed change mirrors the changes previously adopted in Part 73 of the FCC rules in recognition of the fact that full-power and Class A television stations nationwide have been required to broadcast exclusively in a digital format for over a decade. This conversion from analog National Television System Committee (“NTSC”) format to digital Advanced Television Systems Committee (“ATSC”) DTV format has resulted in more

¹ *Public Notice*, Report No. 3186 (rel. Jan. 12, 2022) seeking Comment on LMCC Petition for Rulemaking filed June 24, 2021 (“PFR” or “Petition”).

interference-immune television contours, a fact that is reflected in updated television station-to-television station protection criteria in Part 73. The NWCC explained that adopting a comparable modification of FCC Rule Section 90.309 would maintain appropriate protection to full-power and low-power television stations from land mobile stations and represent sound spectrum management policy. The changes proposed in the Petition were supported by the accompanying White Paper entitled An Updated Method to Determine Potential Interference Between Land Mobile Stations and Digital Television Stations Operating in the Band 470-512 MHz (“T-Band”). The White Paper defined conservative, safe harbor distance separations to allow interference-free sharing by television and land mobile stations.²

NAB’s Comments do not disagree that the Part 73 television station-to-television station protection criteria have been modified in response to the industry’s conversion from analog to digital transmissions or that digital contours have greater interference immunity. They do not question the technical analysis in the White Paper that supports the proposed change, a change that, like all FCC rules, is intended to address the great majority of situations, not anomalous exceptions that require individual attention. NAB’s sole concern lies not with potential interference to television stations from land mobile operations but with potential interference from television stations to land mobile systems, noting that the LMCC has identified certain instances of interference under the current rules.³

NAB urges the FCC to make no changes to the rules without a complete technical record. The NWCC agrees. It believes the White Paper provides the FCC with a solid basis on which to adopt the Notice of Proposed Rulemaking that necessarily will be the next step in this proceeding. If, at that time, NAB contests any of the analysis in that document, it will have the opportunity to

² PFR at 4.

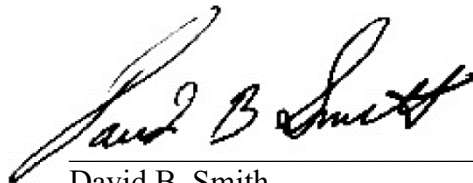
³ See NAB Comments at n. 4.

bring its objections to the attention of the FCC, which will weigh the technical showings and reach its own conclusions as it does in all such matters.⁴ Assuming the FCC concurs with the analysis in the White Paper, it need not be concerned, as NAB seemingly is, that adoption of the proposed rule change will result in additional instances of television interference to land mobile systems.⁵ Licensees of T-Band systems are highly knowledgeable about their coverage requirements and the propagation characteristics of the areas they serve. They will be appropriately cautious in seeking licenses in areas where they might experience interference from television stations in those rare instances where the FCC rules may not capture atypical propagation situations.

For the reasons detailed herein, the NWCC urges the FCC to adopt a Notice of Proposed Rulemaking consistent with the Petition and accompanying White Paper as expeditiously as possible.

Respectfully submitted,

**NATIONAL WIRELESS COMMUNICATIONS
COUNCIL**



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February 25, 2022

⁴ The Reply Comments of Shure Incorporated can be addressed easily by reminding Shure that wireless microphones are authorized to operate on T-Band spectrum on a secondary, non-interfering basis and must do so under the modest, but technically correct and more spectrally efficient rule changes proposed herein. When asked to prohibit wireless microphones on T-Band spectrum in 2015, the FCC stated that “both licensed and unlicensed wireless microphones have operated on these channels for years without interference to the PLMR/CMRS.” *See Amendment of Part 15 of the Commission’s Rules by Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 17*, ET Docket No. 14-165, 30 FCC Rcd 9551 at ¶ 98 (2015). While there is no reason they would not be able to continue sharing this spectrum on a non-interfering basis should the FCC adopt rules consistent with the Petition, if they prove incapable of doing so, they must cease operation.

⁵ The NWCC would be pleased to work with NAB and the television stations involved in addressing the interference situations that have been reported to the FCC and that remain unresolved.