



February 19, 2026

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Re: WT Docket No. 14-180
Ex Parte Comments

Dear Ms. Dortch:

Spectrum is the engine driving the United States' preeminent role in developing and deploying innovative wireless technologies that contribute to the safety and well-being of the American public. Technological advances, both terrestrial and in space, have enabled the wireless community to work collaboratively with the Federal Communications Commission ("FCC") to make productive use of spectrum beyond what could have been imagined even a decade ago. These innovations make new spectrum frontiers attainable, but do not lessen the responsibility to make maximum use of more mature, traditional bands.

For this reason, the National Wireless Communications Council ("NWCC," previously the Land Mobile Communications Council ("LMCC")) urges the FCC to reinvigorize utilization of paired VHF and UHF Paging and Radiotelephone Service channels ("CP Channels") currently licensed in Part 22 of the FCC Rules¹ by moving this spectrum to Part 90 pursuant to regulations that will allow greater technical and operational flexibility. The NWCC also recommends the FCC direct the FCC-certified Frequency Advisory Committee ("FAC") members of the NWCC to develop a licensing process other than competitive bidding for assigning recovered or never licensed channels in those allocations, while avoiding the submission of mutually exclusive applications. The NWCC has used such a process successfully in cooperation with the FCC in several instances when channels were made available on a date certain.²

¹ 47 C.F.R. § 22.501 *et seq.*

² See, e.g., *Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Announce the Availability of Additional Sprint Vacated Channels and the Availability of Expansion Band and Guard Band*

The NWCC is a non-profit association of organizations representing the vast majority of public safety, business, industrial, transportation, and private commercial radio users, as well as a diverse group of land mobile service providers and equipment manufacturers.³ The members and customers of these entities provide essential services to the American public using FCC-regulated spectrum. They invest in private, internal, communications systems that support state and local public safety operations, power and petroleum companies, railroads and other transit systems, trucking companies, chemical and other critical manufacturing facilities, airports, financial services, hospitals and other healthcare providers, as well as a variety of other services. They have embraced narrowband and broadband technologies, as dictated by their operating requirements, in an effort to achieve greater spectrum efficiency from limited spectrum resources. They have sought consistently to identify and incorporate underutilized spectrum in their systems, including the CP Spectrum that is the subject of the above-identified proceeding.

Recognizing that technological advances had largely overtaken the need for the “paging and radiotelephone” 20 kHz bandwidth service, the FCC adopted rules to overlay the historic site-based licensing process with geographic authorizations assigned through competitive bidding. It has held multiple auctions of this spectrum.⁴ Most, perhaps all, the licenses were acquired at auction or on the secondary market by entities operating Part 90 systems that sought these exclusive channels to function as control channels in more efficient trunked systems or for other spectrally efficient operations. As a result, many systems include channels operating under similar, but not identical, regulations. Moreover, as with other auctioned spectrum, some CP channels were not acquired while others were returned to or recovered by the FCC. Given their limited bandwidth and the fact that they are used primarily for internal communications, not commercial service, they are not likely to command competitive bidding interest.

The Wireless Telecommunications Bureau (“WTB”) on its own motion initiated a proceeding regarding CP spectrum in 2014, in which it solicited comment on the need for

Channels in Certain NPSPAC Regions, Public Notice WT Docket No. 02-55, DA 19-330 (2019); *see also*, *Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Announce the Availability of Licensing of Interstitial Channels in the 800 MHz Mid-Band*, Public Notice, WT Docket No. 15-32, DA 22-613 (2022) and [LMCC-TMA-Consensus-CS-FAC-Protocol-Final-061819.pdf](#).

³ NWCC membership includes the following organizations: American Association of State Highway and Transportation Officials (“AASHTO”); American Automobile Association (“AAA”); American Petroleum Institute (“API”); Association of American Railroads (“AAR”); Association of Public-Safety Communications Officials-International, Inc. (“APCO”); Aviation Spectrum Resources, Inc. (“ASRI”); Enterprise Wireless Alliance (“EWA”); Forest Industries Telecommunications (“FIT”); Forestry-Conservation Communications Association (“FCCA”); Government Wireless Technology & Communications Association (“GWTCA”); International Association of Fire Chiefs (“IAFC”); International Municipal Signal Association (“IMSA”); Telecommunications Industry Association (“TIA”); The Monitoring Association (“TMA”); Utilities Technology Council (“UTC”); and Wireless Infrastructure Association (“WIA”).

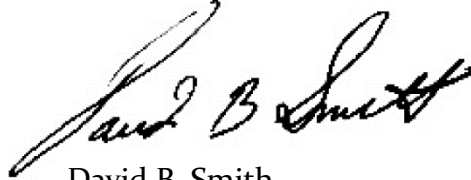
⁴ *See* Auctions 40 (2001); 48 (2003); 87 (2010) and 95 (2013).

greater technical and operational flexibility that might result in more intensive use of the spectrum.”⁵ The industry response was overwhelmingly positive, including supportive comments from the LMCC. The industry agreed that updated rules would “result in licensees deploying innovative technologies, deploying narrowband equipment, or using offset frequencies if they hold adjacent channel blocks.”⁶ The Public Notice did not request comment on moving these channels into Part 90, although it clearly recognized they were being used in Part 90 systems. The LMCC Comments noted that while outside the scope of the proceeding, it “recommends that the FCC consider reassigning to Part 90 the frequencies authorized in Section 22.561 with appropriate provisions to protect any remaining paging and mobile telephone operations.”⁷

The NWCC respectfully requests WTB to revisit this proceeding and seek public comment on relocating this CP spectrum to Part 90 and providing for the assignment of that spectrum pursuant to a WTB-endorsed coordination process. The NWCC is prepared to work with the WTB in crafting rules consistent with this objective.

Sincerely,

National Wireless Communications Council

A handwritten signature in black ink, appearing to read "David B. Smith". The signature is fluid and cursive, with the first name "David" being the most prominent.

David B. Smith

President

13221 Woodland Park Road, Suite 410
Herndon, Virginia 20171

cc (via email):
Joel Taubenblatt
Roger Noel

⁵ See *Wireless Telecommunications Bureau Reminds Paging and Radiotelephone Service Licensees of Certain Technical Rules and Seeks Comment on the Need for Technical Flexibility*, Public Notice, WT Docket No. 14-180, 29 FCC Rcd 12673 (2014) (“Public Notice”).

⁶ *Id.* at 2.

⁷ LMCC Comments at n. 6, WT Docket No. 14-180 (filed Dec. 17, 2014).