

FCC Will Vote on Taking Steps to Foster Greater Utilization of the 800 MHz Band by Private Land Mobile Radio

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Although FCC actions concerning commercial mobile radio and unlicensed spectrum grab the big headlines, the Commission is addressing the needs of other radio users, too. On October 23, 2018, the Commissioners will vote on [plans](#) to make available additional channels for, and remove or reduce other requirements applicable to, private land mobile radio ("PLMR") operations in the 806-824 MHz and 851-869 MHz bands (the "the 800 MHz Band") and, to a lesser extent, the 450-470 MHz band. These frequencies are relied upon by, among other entities, public safety agencies, state/local governments, commercial security operations, utilities, and manufacturers for internal radio communications. While the FCC has worked for years on re-banding and other measures designed to increase utilization of fallow spectrum, it is now intent on addressing a number of rule changes to make these frequencies more readily accessible by a larger number of PLMR entities. Many PLMR rules have remained unchanged since the 1990s or earlier, and eligible entities for years have sought changes to current regulations to foster greater deployment of new equipment and services. The FCC's draft item made available to the public earlier this month would address a number of these pending proposals.

The FCC's draft [Report and Order and Order](#) would take a number of actions which should be welcomed by many PLMR eligible entities, including:

- Add 318 new "interstitial" channels in the 800 MHz Band, specifically in the 800 MHz Interleaved Band (809-815/854-860 MHz, 240 channels), Expansion Band (815-816/860-861 MHz, 40 channels), and Guard Band (816-817/861-862 MHz, 40 channels). These ranges are already used extensively by PLMR operations and the creation of the interstitial channels will enable coordination of new PLMR deployments that the current rules may not have the flexibility to accommodate.
- Direct FCC staff to issue public notices when applications for the new channels will be accepted in regions where rebanding has been completed. Specifically, the FCC's Wireless Telecommunications Bureau would be directed to issue a public notice when these channels become available on a National Public Safety Planning Advisory Committee ("NPSPAC") regional basis.
- Decline to give incumbent 800 MHz Band licensees filing priority over non-incumbents for 800 MHz Expansion Band and Guard Band channels after the announcements by the Bureau that rebanding in each NPSPAC region is complete. The FCC denied a petition from the Land Mobile Communications Council that proposed a six-month window for incumbent licenses to acquire

the new channels before making the channels available to others.

- Terminate the freeze imposed in 1995 on inter-category sharing of 800 MHz Band channels among General Category, Public Safety, and other license pools. This frees up access to these channels by all categories without the need for applicants to seek a waiver of the freeze.
- Add new 450-470 MHz Industrial/Business Pool channels (limited to six kilohertz authorized bandwidth) in the gaps located between Industrial/Business Pool spectrum and spectrum designated for other services.
- Provide for conditional licensing for PLMR stations where coordinated applications have been filed to operate in the 700 MHz public safety narrowband and the 800 MHz PLMR frequencies. This is relief that the PLMR community had sought for many years. Previously, conditional licensing was restricted to PLMR frequencies below 470 MHz. Conditional licensing allows applicants to begin operating a proposed station 10 days after the application (complete with coordination) is filed and continue operations for up to 180 days while the application is pending.
- Authorize trackside boosters on PLMR railroad channels to facilitate communication between the front and rear of trains.
- Make underused Central Station Alarm channels available for other PLMR purposes with the assent of the Central Station Alarm frequency coordinator.

Many PLMR operators have waited for a number of these decisions for some time. Now that these changes are imminent, operators may be able to enjoy some breathing room and seize the opportunity to expand operations as needed to support their missions and businesses. All users of PLMR systems would be well served to pay attention to the FCC's vote on October 23 and the final item when released to understand how they might take advantage of the new flexibility the additional channels and rule modifications will create.