

#### 4. POLICY POSITION

### LOCAL/STATE GOVERNMENTS' ACCESS TO RADIO CHANNELS CURRENTLY USED TO PROVIDE VITAL PUBLIC SAFETY, SPECIAL EMERGENCY, POLICE, FIRE, AND 911 SERVICES

#### BACKGROUND

The Federal Communications Commission (FCC) is now considering whether to give channels currently used for public service purposes by municipal, county, and state governments to a new "Personal Communications Service" (PCS). The FCC is the agency charged with managing the nation's airwaves. In effect, the FCC has the power to decide who will (or will not) be allowed to use radio channels. Certain American electronics companies claim that, with new PCS technologies, they can put "a telephone in every person's pocket" at a price that will be attractive to all consumers. While this technology will ultimately benefit the consumer and should be implemented, unfortunately, these groups seem especially eager to seize the channels used by municipal, county, and state governments to handle radio calls made by police, fire, paramedic/ambulance, and other emergency and disaster services. These channels also are used heavily by public utilities, petroleum companies and railroads. Interest in these specific channels is high because Europe seems to be moving toward a PCS system using the same channels; and, U. S. PCS equipment manufacturers want a compatible European/U. S. channel scheme to enhance U. S. equipment sales in Europe.

Although PCS may be a valuable commercial service, the more important question which must be addressed is whether PCS should be given the channels now used for emergency and public safety services. Unfortunately, there is a severe shortage of radio channels and, if local and state governments should lose use of their current channels, it will be extremely difficult, perhaps impossible, to find any replacement. Further, loss of current channels will have significant cost impacts on local and state governments. The capital investment by such governments in radio equipment alone is many millions of dollars. Replacement costs for this equipment will be even higher. Unfortunately, thus far, the FCC has not been particularly responsive to the dilemma local and state governments and other users will face should their radio channels be given to PCS providers.

At this time, the FCC has already begun the formal process of deciding whether to give channels to PCS, and has accepted written comments on the issue from interested parties. However, input to the FCC is still possible, since the FCC's final decision on the matter is not expected immediately.

RECOMMENDATION

The Southern Legislative Conference adopts a position against proposed rule changes pending before the FCC which would essentially require public safety and law enforcement agencies throughout the country to discontinue use of the 1850-1990 and 2110-2200 megahertz microwave frequencies, and that the FCC be notified of this position and the concerns of the member states of the Southern Legislative Conference.

Adopted by the Southern Legislative Conference, July 23, 1991.

SO-91-PP6