

transition to more efficient systems as new equipment is bought within each users normal replacement cycle. The Commission also believes that a natural inducement exists for all users, especially those located in congested areas, to migrate to narrowband equipment as it becomes available.

6. Ten years affords PLMR users and manufacturers sufficient time to develop technical standards for narrowband radios and to design and test such radios. Further, this time period will provide ample time for different modulation techniques to be studied for compatibility and interference effects.

7. The Commission's type acceptance rules provide some flexibility by which manufacturers can continue to support their existing equipment through upgrades and modifications. Wideband equipment can continue to be produced, but these radios must include a multi-mode feature. With respect to this rule part and proceeding, a grant of type acceptance will be required for new multi-mode, or narrowband equipment. The new grant of type acceptance may cover a new transmitter design and/or upgraded units. Existing wideband (25 kHz) units that have the inherent capability for either multi-mode or narrowband operation may have the current grant of type acceptance modified to show the additional capability by filing a modification request which demonstrates that the original unit complies with the new technical requirements applicable to multi-mode or narrowband operation.

8. In cases where manufacturers have developed a conversion kit to retrofit existing wideband equipment and cause the modified unit to conform to the new technical requirements for new multi-mode or narrowband operation, the Commission will allow field modifications to add multi-mode or narrowband capability to equipment currently installed. So that this equipment can be recognized as having the revised capability, the modifying party, typically the manufacturer or its representative, must replace the existing FCC ID label with a new label that corresponds to the FCC ID of the associated new transmitter which was type accepted with the multi-mode or narrowband capability.

9. Another aspect of this plan concerns licensing on some of the new channels in the 150–174 and 421–512 MHz bands. License applications will not be accepted until one year after the effective date of the rules adopted in this proceeding for channels 7.5 kHz removed from VHF channels or for channels 6.25 kHz removed from UHF channels that are currently listed in 47

CFR Part 90 Subparts B, C, D, and E. This date will permit manufacturers sufficient time to obtain type acceptance for equipment that complies with the new technical requirements. The time lapse between adoption of the new rules and licensing on these new frequencies will also permit frequency coordinators time to establish proper coordination procedures for these frequencies.

10. The third major change to the Commission's rules is the consolidation of the PLMR radio services. The Commission believes that consolidation of the twenty current PLMR radio services into 2–4 radio services is essential to increasing efficiency and providing for more flexible spectrum use by ensuring more efficient distribution of the additional channels created as a result of the transition to narrowband technology. Consolidation will permit licensees to utilize technologically innovative and efficient equipment. Further, maintaining the 20 radio services is administratively burdensome; consolidation will lead to greater operational efficiency for users and promote more flexible use of the spectrum. Also, it is the Commission's intention to create competition in the frequency coordination function by allowing users in the newly created service groups to use the services of any recognized frequency coordinator. The Commission will give the PLMR community a further opportunity to submit a proposal that reflects their interests and needs and is mutually agreeable, reasonable, and workable. The Commission is asking the users and frequency coordinators to provide guidance in their consolidation proposal on how this can best be accomplished. Also, the consolidation proposal should explore creating and implementing a national real time database to ensure fair competition among all of the frequency coordinators by expediting frequency assignments as expeditiously as possible. Further, coordination fees should be discussed in the consolidation proposal filed with the Commission.

11. The Commission takes this approach because it believes that maintaining the existing number of services is outmoded and no longer works as efficiently as when the discrete services were first developed and the spectrum was less heavily utilized. It is hoped that by encouraging PLMR user input, the concerns of all parties will be considered. The Commission recognizes the importance of the different services, particularly Public Safety, and encourages users to develop a proposal which includes a Public Safety pool. Further, the Commission recommends

that users provide clear guidelines as to the requirements necessary for inclusion in the Public Safety pool to prevent overcrowding and to maintain the critical functions of the users included within this pool. Additionally, the Commission recommends that users consider whether a single coordinator or multiple coordinators should be used for public safety users. These changes can work to improve the efficiency of the spectrum environment.

12. Achieving a consensus on a consolidation plan is the ultimate objective. Although a consensus proposal would be ideal, the Commission is not at this time establishing an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. App. 2, or a negotiated rule making committee, P.L. No. 101–648, 105 Stat. 4969 (1990), 5 U.S.C. §§ 581–590; rather, the Commission is merely encouraging the PLMR community, together with the frequency coordinators, to submit their further views. Therefore, the Commission is postponing issuing a plan at this time. The PLMR community will have the opportunity to negotiate and submit a comprehensive consensus plan for consolidation to the Commission within 3 months of the effective date of this *Report and Order*. The Commission will issue final rule amendments on this subject based on the record without further notice. These rule amendments will incorporate the PLMR community's consensus plan, if consensus is achieved within the rubric of this *Report and Order*.

13. Many additional changes to the Commission's rules which support the major decisions outlined above were also made in this proceeding. One of these changes deals with the secondary use of low-power operations on frequencies offset 12.5 kHz from assigned channels in the 450–470 MHz band. Under the new channelization plan, the current offset channels will no longer be offsets, but will be regularly assignable channels available in the various radio services. This will create instances where a channel that is currently available as an offset in more than one radio service will now be assignable in only one radio service. Therefore, licensees whose frequencies are no longer available in the radio service in which they are licensed will be grandfathered on their current frequency and will be permitted to modify, expand, and renew their systems. Also, since it is apparent that there is a continuing need for licensees to use low-power operations, the frequency coordinator for each radio service, as part of the coordination