

Talking Points

1. In virtually all large markets, and probably most medium-sized markets, there will be so many “legacy” ITFS stations, each now assigned a 35-mile radius PSA, that most, if not all, applications for two-way, cellularized, digital systems will require mutual “consent” letters. This is because a) a 35-mile radius circle is a very BIG area to have to protect; b) for co-channel the traditional 45 dB D/U ratio is required, even though lower D/U ratios would work for digital-into-analog and digital-into-digital situations; and c) other stations requiring study include those with line of sight into any portion of the newly created PSA, and not just stations within 50 miles.
2. The key, then, for ITFS licensees electing not to file in the first two-way filing window, is to require that a condition of granting a consent letter for the first filing window is that the applicant agree to provide the consent letter grantee a reciprocal consent letter, if needed at a future date.
3. That puts the consent letter requestor at risk of having to agree to giving a consent letter for an as yet un-designed future facility; therefore, to limit the risk, the agreement could, for example, condition that the future consent letter would only be required to accept “paper” interference, and no actual interference. For example, if a future proposal protests an existing or authorized system to, say, a 32 dB D/U digital-into-digital co-channel criteria, but not to a 45 dBu D/U criteria, that would be considered to be “paper” or “FCC” interference, and not actual interference. Similarly, if a portion of a PSA that is significantly terrain-obstructed from the parent station, and for which no fill-in booster stations are likely, is the only shortfall, this would again be considered as “paper” interference and not actual interference, and a reciprocal “consent” letter would have to be provided.
4. It may be that experience will show that in some cases post-filing window applications will be able to nevertheless demonstrate no more than a 1 dB worsening of the noise floor of an omnidirectional receive hub because there is a pre-existing and more severe interferer that will “mask” the additional interference. For example, if an existing interferer is more than 10 to 20 dB stronger than a newcomer interferer, the cumulative effect of the newcomer may be negligible, easily meeting the 1 dB degradation limit. On the other hand, if the newcomer interferer is much closer to the protected hub, then the lesser free space path loss may more than offset the lower power, and even a low power newcomer may fail the 1 dB test. This involves a complex interplay involving each station’s EIRP, location, antenna

Talking Points

pattern, and any terrain losses that might exist using the Epstein-Peterson model, so until experience is gained with the Appendix D methodologies it would be unwise to assume that it will be possible to demonstrate no more than a 1 dB degradation in the noise floor of a Response Hub. Accordingly, the best protection will be the obligation to provide a future, and reciprocal, “consent” letter.