

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of )  
 )  
Western Resources, Inc. )  
Request for Waiver to Permit Sharing of its 900 MHz ) DA 00-1405  
Industrial and Land Transportation Trunked Radio )  
System with Public Safety Users )

**COMMENTS OF THE  
PUBLIC SAFETY WIRELESS NETWORK PROGRAM**

**I. STATEMENT OF INTEREST**

1. The Public Safety Wireless Network (PSWN) Program<sup>1</sup> respectfully submits the following Comments in the above-referenced request for waiver filed by Western Resources, Inc. (“Western”).<sup>2</sup> For the reasons discussed below, the PSWN Program supports granting Western’s request for a waiver of Section 90.179(a) of the Commission’s rules.<sup>3</sup>

2. As an entity dedicated to fostering public safety wireless communications interoperability throughout the Nation and at all levels of government, the PSWN Program is greatly interested in any development affecting the ability of public safety communications to have access to additional spectrum through sharing agreements or other means. Accordingly, the PSWN Program is pleased to offer the following Comments in support of Western’s waiver request.

**II. COMMENTS**

3. Western requests that the Commission issue a waiver to permit sharing of use of its 900

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<sup>1</sup> The PSWN Program is a federally-funded initiative operating on behalf of all local, state, and federal public safety agencies. The Department of Justice and the Department of the Treasury are jointly leading the PSWN Program’s efforts to plan and foster interoperability among public safety wireless networks. The PSWN Program is a 10-year National Partnership for Reinventing Government (NPRG) initiative. The NPRG, previously known as the National Performance Review, is an effort to reengineer how government provides services to citizens through more effective use of information technology and through more concerted partnership efforts among government at all levels.

<sup>2</sup> *In The Matter Of Western Resources, Inc. Request for Waiver to Permit Sharing of its 900 MHz Industrial and Land Transportation Trunked Radio System with Public Safety Users* Public Notice, DA 00-1405, rel. June 23, 2000.

<sup>3</sup> 47 CFR §90.179 (1999).

MHz Industrial and Land Transportation Category (I/LT) land mobile system with public safety entities as part of a Public Safety Radio Pool. Prospective participants include EagleMed, Inc., of Wichita, Kansas, which has already expressed an interest in participating in this agreement. Such sharing would be on a non-profit, cost-shared basis. In the event that a waiver is necessary, Western requests that the Commission issue a blanket waiver to allow it to share its reserve system capacity with any other public safety entities, who would use the IL/T frequencies, but not share any of their licensed spectrum with Western.

4. The PSWN Program agrees, and shares Western's opinion that the opportunity to acquire the use of a high-capacity communications system, as well as access to additional scarce spectrum resources, without diminishing in any way their own capacity, is an important opportunity for public safety entities. The PSWN Program believes that allowing the Public Safety Radio Pool partnership between Western and public safety services, on a non-profit, cost-shared basis, will ensure the efficient use of excess capacity that, absent a sharing agreement, would not otherwise be available to the public safety community. This additional capacity will have an immediate and positive impact on public safety entities' ability to communicate, and will greatly enhance their ability to protect life and property. The PSWN Program therefore urges the commission to grant Western's waiver request.

5. The PSWN Program continues to support the development of partnerships involving entities at all levels of government to facilitate the availability of additional spectrum for public safety. The PSWN Program appreciates the Commission's interest and commitment towards the proper establishment of such partnerships.

Respectfully submitted,

A handwritten signature in black ink that reads "Paul H. Wieck II". The signature is written in a cursive style with a horizontal line under the name.

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Brigadier General Paul H. Wieck II  
Iowa Army National Guard  
Chair, PSWN Executive Committee  
Spectrum Working Group