



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2015

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schumer:

Thank you for your letter of June 8, 2015 concerning the delays that Wyoming County, New York, previously encountered in obtaining Canadian concurrence for the County's Very High Frequency (VHF) interoperable communications system. I am pleased to report that, as of this writing, all six of Wyoming County's sites have completed testing, and Industry Canada has concurred that the County's proposed sites are not a source of interference to Canada's facilities.

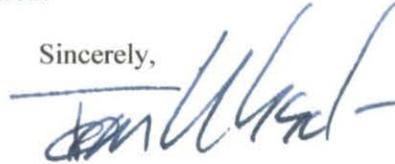
As you are aware, our agreements with Canada for use of the VHF band establish a "first come, first served" protocol whereby stations in the U.S. and Canada are afforded protection against interference once they are licensed by their respective agencies. However, the U.S. and Canada have made such intensive use of the VHF band that only a limited number of VHF channels are available in either country in the area near Wyoming County which, at its closest point, is only 27 miles from the Canada border. After working with the County and Industry Canada to schedule with Canada an "on-air-test" (OAT) of potential interference that the County's facilities could cause to Canadian licensees, Federal Communications Commission engineers began OATs with Industry Canada on June 4, 2015.

As we now have Canadian concurrence following the OATs, the Commission is prepared to provide Special Temporary Authority (STA) for the County to operate its facilities, pending processing of the County's license applications. However, before the Commission can grant an STA, the County must obtain a "no hazard" determination from the Federal Aviation Administration for one of its tower locations, which the County previously submitted to the FAA with incorrect coordinates. The County has advised us that it has corrected the error and resubmitted the application to the FAA, which will conduct an airspace study to ensure that tower does not present a hazard to air navigation. Once the County receives the required no-hazard determination from the FAA, it may file its STA request with the Public Safety and Homeland Security Bureau, and the Bureau will process the request promptly.

We remain committed to our support of public safety communications, particularly for those regions like Wyoming County which are interoperable with neighboring jurisdictions. We believe that the STA process will support the improved public safety communications outcome Wyoming County seeks to achieve. We will follow the County's progress closely and be prepared to provide any assistance as needed.

Thank you for calling this matter to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", with a horizontal line extending to the left of the first few letters.

Tom Wheeler