

Concurring Statement of

Commissioner James H. Quello

In the Matter of Further Sharing of the UHF Television Band by Private Land Mobile Radio Services, Gen. Docket No. 85-172.

I agree with the thrust of the majority's decision in this proceeding. I believe it is a step in the right direction. However, one major concern causes me to concur, rather than totally approve the Commission's action.

According to the decision, the Commission will defer action in this proceeding until the initial report of Advanced Television Advisory Committee has been presented to the Commission, and public comment received on it. Under the Committee's charter, it must submit to the Commission recommendations on fundamental parameters and spectrum requirements for Advanced Television Systems (ATV) no later than 6 months from the date of the first meeting.

While I applaud the Commission's decision to delay action, at least until the Committee's initial report is reviewed, I am less sanguine about the possibility of proceeding with land mobile sharing before the Committee has completed its work. It would seem that the interference standards adopted for the purposes of land mobile sharing would depend, at least in part, on the type of ATV system that is ultimately employed. The Commission appears to have adopted just the opposite approach, preferring to adopt spectrum and interference parameters before selecting a specific ATV system. I disagree with this backwards approach to the development of an ATV system.

I would agree to the expedited timetable adopted in this proceeding if I were convinced that there was an urgent need for land mobile sharing at this time. However, as I have stated on numerous occasions, the land mobile community has failed to demonstrate a need for additional spectrum. Indeed, the Commission is currently evaluating comments on its own internal studies which cast doubt on the need for additional sharing. In my opinion, the issue of "need," in and of itself, justifies a cautious approach to further land mobile sharing.

I would wait until we had a workable ATV system before going forward with this proceeding. The development of an advanced "state of the art" television system represents a marked improvement in picture quality and merits the highest priority on the Commission's agenda. We should exhaust every potential for ATV's development rather than hindering or obstructing initiation of this service through the premature and unnecessary granting of additional frequencies to a more than adequately allotted land mobile service.