Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)
	)
American Mobile Telecommunications	)
Association, Inc. and	)
American Trucking Associations, Inc.	)
	)
Petition for Transfer of Frequency Advisory	)
Committee Certification	)

MEMORANDUM OPINION AND ORDER

Adopted: June 8, 2001 **Released: June 11, 2001**

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

I. INTRODUCTION

1. On July 13, 2000, the American Mobile Telecommunications Association, Inc. (AMTA) and the American Trucking Associations, Inc. (ATA) jointly filed an informal *Transfer Petition* seeking to transfer ATA's certification as a frequency advisory committee (FAC) or frequency coordinator for private land mobile radio (PLMR) spectrum below 512 MHz to AMTA.[1] ATA currently is certified as a frequency coordinator for the Industrial/Business (I/B) Pool of PLMR frequencies below 512 MHz. The request to transfer the certification was placed on public notice on August 3, 2000.[2] For the reasons set forth below, we grant both AMTA's request for FAC certification and ATA's request for removal from the list of certified FACs. We do not believe, however, that it is either appropriate or necessary to transfer FAC certification from one entity to another to achieve the ends sought by AMTA and ATA.

[1] Petition for Transfer of American Trucking Associations, Inc. Frequency Advisory Committee Certification filed by AMTA and ATA on July 13, 2000 (*Transfer Petition*).

[2] Wireless Telecommunications Bureau Seeks Comment on Petition By American Trucking Associations, Inc., to Transfer Frequency Advisory Committee Certification to American Mobile Telecommunications Association, Inc., *Public Notice*, 15 FCC Rcd 13333 (WTB PSPWD 2000). We received five comments and five reply comments. Comments were submitted by the Association of Public-Safety Communications Officials-International, Inc. (APCO), Electrocom, Inc., Industrial Telecommunications Association, Inc. (ITA), MRFAC, Inc. (MRFAC), and Personal Communications Industry Association, Inc. (PCIA). Reply comments were submitted by Fisher Wireless Services, Inc. (FWS), Forest Industries Telecommunications (FIT), FleetTalk Partners, Ltd. (FleetTalk), the United Telecom Council (UTC), and jointly by AMTA and ATA (AMTA/ATA).

II. BACKGROUND

2. A PLMR frequency coordinator is a private-sector entity or organization that has been certified by the Commission to recommend the most appropriate frequencies for use by licensees in the PLMR services.[3] The Commission has recognized the role of frequency coordinators in the process of selecting available frequencies since 1958,[4] but it was not until 1986 that the Commission formally certified frequency coordinators.[5] The Commission examined the facets of the frequency coordination process in an effort to maximize service to the public by assuring that the assignment and management of the PLMR spectrum was performed in an efficient and effective manner.[6] In almost all of the Industrial and Land Transportation Radio Services the Commission received only one request per radio service for frequency coordination certification.[7] The Commission recognized that certifying multiple coordinators per service could lower coordination fees for applicants,[8] but decided to certify a single coordinator in each service in order to reduce the potential for confusion and avoid inconsistent coordination standards.[9] The Commission believed that "competition in the recommendation of frequencies should not be necessary to assure the lowest price or best service."[10]

3. The primary factor in the selection of each frequency coordinator was whether the applicant represented a class of users eligible for licenses in the service the applicant proposed to coordinate.[11] Special emphasis was placed on representativeness since the Commission decided to certify only one coordinator per service.[12] Additional factors considered were the applicant's overall plan to coordinate the

[3] For the Part 90 definition of a frequency coordinator, see 47 C.F.R. § 90.7. *See also* Frequency Coordination in the Private Land Mobile Radio Services, *Report and Order*, PR Docket No. 83-737, 103 FCC 2d 1093, 1094 ¶ 1 (1986) (*Frequency Coordination Report and Order*). I/B frequencies are listed in 47 C.F.R. § 90.35, and Business and I/LT frequencies are listed in 47 C.F.R. §§ 90.613, 90.617, 90.619.

[4] *Frequency Coordination Report and Order*, 103 FCC 2d at 1096 ¶ 4 (citing Amendment of Part 11, Rules Governing the Industrial Radio Services, to Delete, Modify and Create Services and to Effect Changes in the Availability of Frequencies, *First Report and Order*, Docket No. 11991, FCC 58-602, 23 Fed. Reg. 4784 (1958)).

[5] *See Frequency Coordination Report and Order*, 103 FCC 2d at 1126-47 ¶¶ 70-108.

[6] *Id.* at 1095 ¶ 2.

[7] *Id.* at 1127-46 ¶¶ 71-108.

[8] Frequency Coordination in the Private Land Mobile Radio Services, *Notice of Proposed Rulemaking*, PR Docket No. 83-737, 49 Fed. Reg. 45454, 45456 ¶ 14 (1986).

[9] *Frequency Coordination Report and Order*, 103 FCC Rcd at 1121-22 ¶¶ 57-59. The Commission permitted the continued use of three coordinators for recommending 800 MHz General Category frequencies because this procedure had evolved into a workable, manageable system. The Commission recognized that there was no reason to deviate from the then-current situation even though it was different from its approach in other PLMR spectrum. *Id.* at 1146 ¶ 108.

[10] *Id.* at 1123 ¶ 61.

[11] *Id.* at 1126 ¶ 70.

[12] *Id.* at 1126 n.17.

service,[13] whether the entity had any experience coordinating frequencies in that service or any technical expertise in engineering land mobile radio stations, and whether the applicant was capable of nationwide coordination.[14] ATA was certified as the frequency coordinator for the Motor Carrier Radio Service,[15] *i.e.*, radio communications by persons or entities providing a motor carrier service for distribution, collection and transportation of property within and between urban areas, and transportation of passengers within and between urban areas.[16] According to the AMTA, it has been a trade association representing many segments of the PLMR community for more than fifteen years.[17] AMTA states that a significant number of its members provide system licensing, management, maintenance and similar services for licenses to which they sell private systems.[18]

4. In 1997, the Commission consolidated the twenty PLMR services below 512 MHz[19] into two pools, Public Safety and I/B.[20] The Commission, in general, ended exclusivity of frequency coordination in non-Public Safety Pool frequencies, and, with certain exceptions, certified the existing coordinators to coordinate all of the frequencies in the pool into which their service was consolidated.[21] Consequently, ATA currently is able to coordinate all I/B Pool frequencies below 512 MHz, which formerly were allocated to various Industrial, Land Transportation, and Business Radio Services, including the Motor Carrier Radio Service.[22] The Commission took this action to provide users with the opportunity to make marketplace decisions when seeking the services of a frequency coordinator.[23]

5. In this regard, the Commission stated that certifying multiple coordinators for the same frequencies was not a rejection of its 1986 requirement that each coordinator be representative of the users

[13] For example, how frequency recommendations would be made and whether all applicants would be treated equally. *Id.* at 1126 ¶ 70.

[14] *Id.*

[15] *Id.* at 1138 ¶ 92.

[16] 47 C.F.R. § 90.89 (1986).

[17] *Transfer Petition* at 5.

[18] AMTA/ATA Reply Comments at 5-6.

[19] The PLMR spectrum below 512 MHz comprises PLMR services within the 150-174 MHz, 421-430 MHz, 450-470 MHz, and 470-512 MHz bands.

[20] Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them, *Second Report and Order*, PR Docket No. 92-235, 12 FCC Rcd 14307, 14318 ¶ 20 (1997) (*Refarming Second Report and Order*).

[21] *Id.* at 14325 ¶ 33, 14328 ¶ 40.

[22] *Id.* at 14322 ¶ 27. The I/B Pool frequency coordinators are as follows: United Telecom Council, Petroleum Frequency Coordinating Committee, Association of American Railroads, American Automobile Association, PCIA, Central Station Alarm Association, Forest Industries Telecommunications, MRFAC, Alliance of Motion Picture and Television Producers, ATA, Newspaper Association of America, ITA, International Taxicab and Livery Association, Telephone Maintenance Frequency Advisory Committee.

[23] *Id.* at 14310 ¶ 5.

of the radio service in which it was certified.[24] Instead, the Commission concluded that licensees and systems within the consolidated pools were sufficiently similar that in-pool frequency coordinators possessed the ability to provide frequency coordination recommendations for all applicants within their pool.[25] We recognize that radio communications in the I/B Pool generally are used to support business operations. The Commission found that although each licensee may have slightly different requirements based on the particular business it operated, the majority of PLMR communications systems are used for support of day-to-day business activities.[26] Further, it noted that even when businesses use their radio stations for emergencies, such emergencies are fundamentally similar and can be easily accommodated by any frequency coordinator.[27]

6. In the *Refarming Second Report and Order*, the Commission also stated that as a direct result of permitting any in-pool coordinators to coordinate any frequency in the I/B Pool, further competition would be introduced into the frequency coordination process.[28] The Commission believed that this action would result in lower frequency coordination costs and better service to the public.[29] It concluded that market forces would reduce the time it takes to obtain frequency coordination, thereby permitting users to commence their communications operations more rapidly.[30] In addition, the Commission anticipated that competing frequency coordinators in the bands below 512 MHz would minimize, if not eliminate, market entry barriers for small businesses.[31]

III. DISCUSSION

7. *Procedural issues*. Before we reach the merits of the request filed by AMTA and ATA, we must address certain procedural issues raised in this proceeding. Initially, we must determine whether the matter of transferring a FAC certification is a matter that can be resolved on a delegated basis or must be referred to the Commission. If we decide that the Wireless Telecommunications Bureau (WTB or Bureau) is the proper forum for these issues, we must then determine whether transfer of a FAC certification is an appropriate procedure for the AMTA/ATA request.

8. The majority of commenters favor referring the matter to the Commission for resolution in a rulemaking proceeding because PLMR frequency coordinator certifications have always been done by rulemaking,[32] and because this matter involves broad policy implications.[33] These parties suggest that a

[24] *Id.* at 14325-26 ¶ 34.

[25] *Id.*

[26] *Id.* at 14328 ¶ 40.

[27] *Id.*

[28] *Id.*

[29] *Id.*

[30] *Id.*

[31] *Id.*

[32] MRFAC Comments at 2, PCIA Comments at 2-3, ITA Comments at 3-4, FIT Reply Comments at 2.

[33] UTC Reply Comments at 1-2, FIT Reply Comments at 1.

rulemaking proceeding will permit the development of a full record in the determination of whether AMTA should be certified as a FAC.[34] AMTA and ATA, on the other hand, argue that the language of Section 0.131(m) permits the Bureau to proceed in this matter under delegated authority.[35]

9. We agree with AMTA and ATA[36] that the Commission has delegated to the Bureau authority to certify frequency coordinators, and handle related matters, under Sections 0.131(m) and 0.331 of the Commission's Rules. Specifically, Section 0.131(m) lists "Certifies frequency coordinators; considers petitions seeking review of coordinator actions; and engages in oversight of coordinator actions and practices" as Bureau functions.[37] In this regard, we note that Section 0.331 delegates authority to "perform all Bureau functions, described in § 0.131," subject to certain exceptions and limitations.[38] The exceptions and limitations include "new or novel questions of law or policy which cannot be resolved under outstanding Commission precedents or guidelines."[39] Given the history described above regarding certification of PLMR frequency coordinators, we do not believe that the instant matter constitutes a new or novel question of law or policy that cannot be resolved under outstanding Commission precedents and guidelines. The Commission recently stated that the Bureau has delegated authority to select FACs in the services it administers.[40] Further, during the past few months, the Bureau certified a FAC for the Wireless Medical Telemetry Service[41] and certified UTC, PCIA and MRFAC as FACs for the 800 MHz and 900 MHz Business and I/LT frequencies.[42]

10. With respect to the second procedural issue, *i.e.*, whether a FAC certification can be transferred, we disagree with AMTA and ATA[43] that the Commission's rules permit the transfer of a FAC. We note, as an initial matter, that there is no authorization in the Commission's rules and regulations for such a transfer.[44] Notably, neither ATA nor AMTA cite any Commission precedent that contemplates or authorizes the transfer of an existing coordinator certification. Moreover, since each entity must show that

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[34] MRFAC Comments at 2, PCIA Comments at 2-3, ITA Comments at 3-4, FIT Reply Comments at 2.

[35] *Id.*

[36] *Transfer Petition* at 4-5, AMTA/ATA Reply Comments at 1-2, 11.

[37] 47 C.F.R. § 0.131(m).

[38] 47 C.F.R. § 0.331.

[39] 47 C.F.R. § 0.331(a)(2).

[40] Amendment of Parts 2 and 95 of the Commission's Rules to Create a Wireless Medical Telemetry Service, *Report and Order*, ET Docket No. 99-255, 15 FCC Rcd 11206, 11218 ¶ 36 (2000).

[41] Amendment of Parts 2 and 95 of the Commission's Rules to Create a Wireless Medical Telemetry Service, *Order*, 16 FCC Rcd 4543 (WTB PSPWD 2001).

[42] In the Matter of United Telecom Council, Informal Request for Certifications as a Frequency Coordinator in the PLMR 800 MHz and 900 MHz Bands, *Order*, DA 01-944, (WTB PSPWD, released April 18, 2001) (*UTC Order*).

[43] AMTA/ATA Reply Comments at 1-2.

[44] *See* 47 CFR § 90.175.

it meets the Commission's qualifications for frequency coordinators before it is certified, we do not believe it would be appropriate to allow a certification to be transferred. Further, in light of the Commission's consolidation of the PLMR services below 512 MHz, there is no longer a *de facto* limit on the number of entities that can be certified as frequency coordinators, based on representation of certain types of users, there is no need to transfer an existing certification. We agree with ITA that if a FAC is no longer interested in providing frequency coordination, the appropriate course of action for the FAC is to request that the Commission terminate its certification.[45] If another entity is interested in providing frequency coordination and wishes to be certified, that entity should independently request certification as a frequency coordinator.[46] While we agree with commenters who submit that that transfer of a frequency coordinator certification is unauthorized,[47] we disagree with ITA's suggestion that (1) the *Transfer Petition* be dismissed, (2) the ATA certification be terminated and (3) AMTA be required to file a new petition for certification.[48] We believe that such course of action would cause a needless expenditure of time and the Commission's resources with no resulting significant benefit. Rather, we will consider the *Transfer Petition* as a consolidated request seeking both the cancellation of ATA's certification and the certification of AMTA as a frequency coordinator for the I/B Pool of PLMR frequencies below 512 MHz.[49]

11. *Merits of the Requests.* As indicated above, in 1997, as part of a broad review of the PLMR services below 512 MHz, the Commission concluded that it would be in the public interest to permit more than one entity to coordinate frequencies in the I/B Pool.[50] Our experience since then indicates that the introduction of competitive PLMR coordination generally has been successful. Frequency coordinator competition in this spectrum continues to be both desirable and feasible. In fact, promotion of such competition was extended to the 800 MHz and 900 MHz Business and Industrial/Land Transportation categories.[51] Therefore, in furtherance of a competitive marketplace in frequency coordinations, we find that it is in the public interest to consider whether AMTA is qualified to be a certified frequency coordinator for the I/B Pool of PLMR frequencies below 512 MHz.

12. The criteria the Commission established in 1986 for PLMR frequency coordination certification were (a) representativeness of the users of the frequencies to be coordinated, (b) the entity's overall coordination plan (including how recommendations would be made and equality of applicant treatment), (c) the entity's experience coordinating frequencies in the service or technical expertise, and (d) its nationwide coordination capability.[52] For the reasons stated below, we conclude that, based upon our

[45] ITA Comments at 2.

[46] *Id.*

[47] PCIA Comments at 3, ITA Comments at 2.

[48] ITA Comments at 3.

[49] We decline to expand the scope of this proceeding to revisit the question of FAC certification qualifications, as requested by ITA. *See* ITA Comments at 1. We believe that this issue goes beyond the question of whether AMTA meets the established requirements to be a certified FAC for the PLMR frequencies below 512 MHz and, thus, we will not consider it in the instant action.

[50] *Refarming Second Report and Order*, 12 FCC Rcd at 14328 ¶ 40.

[51] *See* supra note 43.

[52] *Frequency Coordination Report and Order*, 103 FCC 2d at 1126 ¶ 70.

evaluation of each of those factors, AMTA has demonstrated that it is qualified to act as a frequency coordinator for the PLMR frequencies below 512 MHz.

13. With respect to the first factor, our evaluation of AMTA's qualifications takes place in a milieu of competitive coordination, rather than in the 1986, when only a single FAC was certified for each radio service. At that time, when competing coordinators were compared with each other, only one could be selected as the certified FAC. Currently, we believe that an entity seeking certification needs only to be qualified as a frequency coordinator without needing to be compared with other candidates. AMTA has been a trade association representing Part 90 PLMR eligibles for fifteen years.[53] Many of its members use the services of frequency coordinators in order to obtain the spectrum they utilize to operate their communications systems.[54] Other AMTA members provide licensing, system management, and similar services to PLMR users operating internal communications systems, while additional members act as the interface between coordinators and licensees.[55] Contrary to the views of APCO, ITA and UTC, [56] we do not believe that each certified frequency coordinator should be required to represent a specific segment of eligible licensees in the PLMR service. As Electrocom indicates, a FAC need not be representative of a discrete and insular minority, but ideally should be representative of all eligible users.[57] Indeed, PCIA, a current frequency coordinator, describes itself as "an international trade organization representing the interests of both commercial and private users and businesses involved in all facets of the personal communications industry."[58] We believe the argument that each frequency coordinator must represent a specific subset of licensees is particularly inappropriate in the context of the current regulatory regime because the twenty specific PLMR services (including the Motor Carrier Radio Service) have been consolidated into two pools - - Public Safety and I/B. Thus, we conclude that an entity seeking certification as a frequency coordinator for the I/B Pool of PLMR frequencies below 512 MHz must show that it is generally representative of users eligible to be licensed for that spectrum. Based on our review of the record in this proceeding, we find that AMTA meets this criterion.

14. AMTA has also demonstrated that it has a satisfactory coordination plan. In the context of this proceeding AMTA has represented that it plans to have an experienced engineering firm perform the technical analyses needed to provide state-of-the-art frequency recommendations.[59] Contrary to PCIA's and FIT's assertion, we do not believe that the decision to contract out certain engineering services to an outside firm is an abrogation of a FAC's responsibilities.[60] In this connection, we note that the Commission has not expressly required certified frequency coordinators to perform all aspects of the coordination function employing in-house resources. Indeed, we note that some existing certified frequency

[53] *Id.* at 5.

[54] AMTA/ATA Reply Comments at ii.

[55] *Id.*

[56] APCO Comments at 2, ITA Comments at 1, UTC Reply Comments at 1.

[57] Electrocom Comments at 4.

[58] PCIA Comments at 1 n.1.

[59] AMTA/ATA Reply Comments at 8.

[60] PCIA Comments at 4-5, FIT Reply Comments at 4.

coordinators use outside engineering firms to perform technical analyses.[61] While PCIA argues that the Commission must analyze the relationship between AMTA and its engineering contractor,[62] we do not feel that such examination is required at this juncture. In this regard, we note that the Commission has not investigated the relationship between other FACs and the engineering consultants they use. PCIA has also failed to provide any specific evidence that the engineering contractor, as opposed to AMTA, will have ultimate control over the frequency coordination process. We agree with AMTA that it is more appropriate for a FAC to use contractors to perform the sophisticated technical analysis that is often required with Part 90 coordination recommendations than to approve applications without adequate technical review.[63]

15. We also conclude that AMTA has shown that it will utilize sufficient technical experience to ensure that it performs accurate frequency coordinations. To ensure technical expertise, AMTA proposes to utilize experienced engineers who will use software and personnel adept in the frequency coordination process.[64] AMTA's initial coordinating staff collectively has approximately forty years of coordination experience, and one staff member will be a person that was primarily involved in ATA's frequency coordination operations.[65] AMTA states that Part 90 coordination recommendations require sophisticated analyses to permit more intensive spectrum utilization while protecting incumbents from harmful interference.[66] AMTA states that these analyses are technically and economically possible through improvements in database availability and automated engineering techniques.[67] In AMTA's opinion, the most significant change in the performance of frequency coordination is the Commission's creation of a publicly available database of licensee and applicant information.[68] In view of the consolidation of the radio services into pools and the readily available online application and licensing information, AMTA asserts, engineering and technical expertise has assumed the predominant role in providing top-quality frequency coordination services.[69] AMTA believes that its arrangement will provide an enviable level of expertise.[70] We note that none of the commenting parties has argued that AMTA will have insufficient technical expertise available to it.

16. Finally, we conclude that AMTA will have nationwide coordination capability. In evaluating this factor, the Commission has looked at the availability of a nationwide database of users and whether that database was automated.[71] Since the Commission now has a publicly available licensing database, and

[61] PCIA Comments at 5 n.14, AMTA/ATA Reply Comments at 8-9 n.16.

[62] PCIA Comments at 4-5.

[63] AMTA/ATA Reply Comments at 9.

[64] *Id.*

[65] *Id.*

[66] *Transfer Petition* at 5.

[67] *Id.*

[68] *Id.*

[69] *Id.* at 6.

[70] AMTA/ATA Reply Comments at 9.

[71] *Frequency Coordination Report and Order*, 103 FCC 2d at 1126 ¶ 70.

since AMTA intends to use that database, we see no reason to question AMTA's ability to provide coordination services throughout the nation. We again note that none of the commenting parties has presented evidence to the contrary.

17. MRFAC, however, argues that AMTA is not qualified to be a FAC because of various positions AMTA has taken in proceedings before the Commission.[72] Contrary to MRFAC's contention, we do not believe that AMTA's positions on various land mobile radio matters should disqualify AMTA from becoming certified FAC.[73] We agree with AMTA that such disagreements are not germane to the question of certification.[74] We also note that Coordinators often differ on the regulatory positions they advance. Further, we have not found such disagreements to be determinative of whether an entity is qualified to meet the responsibilities of making frequency recommendations. In its request, AMTA emphasizes that as a FAC it will cooperate with other frequency coordinators and will abide by consensus policies and procedures governing coordination.[75] As a frequency coordinator, AMTA will be required to comply with the rules governing FACs and the consensus policies and procedures adopted by the current coordinators. We agree with Electrocom that AMTA has proved its qualifications,[76] as well as its *bona fides,* to be a certified coordinator. Its coordination plan, experience in land mobile matters, provisions for attaining technical expertise, and current capabilities to function as a competent nationwide coordinator, as well as its representativeness, warrant AMTA's certification as a FAC. We have every expectation that AMTA's introduction into the FAC community will enhance competition.

18. In addition, we grant ATA's request to discontinue its frequency coordination services to eligibles in the I/B Pool of PLMR frequencies below 512 MHz.[77] When a frequency coordinator no longer wishes to function as such, or is not performing its duties in a manner consistent with the public interest obligations set by the Commission, it is appropriate to seek decertification of that entity.[78] We find that ATA's request fits into the first category; it wishes to discontinue its services as a frequency coordinator. ATA has not pursued coordination business actively for some time.[79] As its members are not seeking PLMR licensing, ATA wishes to eliminate the legal responsibilities of certification.[80] These responsibilities include, but are not limited to, providing coordination of frequencies on a non-discriminatory basis, reviewing the license application form for completeness and correctness, filing coordinated applications with the Commission, handling post-licensing conflicts involving frequency selection, recommending the most appropriate frequency, establishing a single point of contact nationally, and facilitating the use of new

[72] MRFAC Comments at 2-3.

[73] *See* MRFAC Comments at 2.

[74] AMTA/ATA Reply Comments at 7.

[75] *Transfer Petition* at 6.

[76] Electrocom Comments at 2-3.

[77] *Transfer Petition* at 1.

[78] *Frequency Coordination Report and Order*, 103 FCC Rcd at 1155-56 ¶ 127.

[79] *Transfer Petition* at 6.

[80] *Id.*

technologies.[81] Since seeking FAC certification was a voluntary undertaking, and ATA has properly sought decertification, we grant its request. We believe that ATA's removal from these fundamental obligations will not unduly hamper the competitive offerings of frequency coordination services, especially in light of our grant of AMTA's request for FAC certification. In order to provide a transition to ATA's customers, we will accept for filing applications coordinated by ATA within ten days after the release date of this order, and ATA will remain responsible for performing the coordination functions with respect to those applications while they remain pending at the Commission.

IV. CONCLUSION

19. After careful consideration of the information before us, we are persuaded that AMTA has the qualifications necessary to follow the rules and regulations in performing frequency coordination for the I/B Pool of PLMR frequencies below 512 MHz.[82] We are hereby certifying AMTA as a FAC for the subject frequencies. We believe that this action will further enhance competition within the PLMR frequency coordination process and thus serve the public interest. Finally, as ATA no longer considers itself representative of the PLMR community and wishes to cease its FAC functions, we will grant its decertification request.

V. ORDERING CLAUSES

20. Accordingly, IT IS ORDERED that, pursuant to Section 4 (i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.41 of the Commission's Rules, 47 C.F.R. § 1.41, the *Request for Transfer* filed by the American Mobile Telecommunications Association, Inc., and the American Trucking Associations, Inc., on July 13, 2000 IS GRANTED to the extent indicated above and DENIED in all other respects.

21. IT IS FURTHER ORDERED that the American Mobile Telecommunications Association, Inc. IS CERTIFIED to provide frequency coordination services for the I/B Pool of private land mobile radio frequencies below 512 MHz.

22. IT IS FURTHER ORDERED that the American Trucking Associations, Inc., IS DECERTIFIED as a frequency coordinator for the I/B Pool of private land mobile radio frequencies below 512 MHz.

[81] *Frequency Coordination Report and Order*, 103 FCC Rcd at 1119 ¶ 53.

[82] We remind AMTA that it must obtain prior written consent from another coordinator if it proposes to coordinate an application for the frequencies described in 47 C.F.R. § 90.35(b)(2)(i). AMTA must also obtain concurrence from the appropriate industry-specific coordinator if the station's proposed interference contour would overlap the service contour of a station on a frequency formerly shared prior to radio service consolidation by licensees in the Manufacturers Radio Service, the Forest Products Radio Service, the Power Radio Service, the Petroleum Radio Service, the Motor Carrier Radio Service, the Railroad Radio Service or the Automobile Emergency Radio Service. *See* 47 C.F.R. § 90.35(b)(2)(ii).

23. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

D'wana R. Terry
Chief, Public Safety and Private Wireless Division
Wireless Telecommunications Bureau