

Ministry of
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Correctional Services

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April 18, 2006

Director General,
Telecommunications Policy Branch
Industry Canada
300 Slater Street
Ottawa, ON K1A 0C8

Re: Canada Gazette, Part I, December 2005, Proposals and Changes to the Spectrum in Certain Bands Below 1.7 GHz (DGTP-004-05)

The Office of the Fire Marshal (OFM) for the Province of Ontario, in consultation with its stakeholders, has reviewed Industry Canada's "Spectrum Management and Telecommunications: **Proposals and Changes to the Spectrum in Certain Bands Below 1.7 GHz** (DGTP-004-05 December 2005)" and I am formally writing to submit our position on the proposed changes.

The Ontario Office of the Fire Marshal is unconditionally opposed to the Industry Canada proposal regarding MURS in the 150 MHz band. The proposed changes in **Section 6** have a direct negative impact upon the communications capabilities of select fire services, and have the potential to jeopardize public safety in the province of Ontario.

Many of the affected services are municipal volunteer fire departments that provide critical first response to emergencies across large rural expanses. Furthermore, most operate on very small budgets that are tied to municipal tax revenue, with very limited opportunity for increases. Consequently, the proposed changes by Industry Canada are financially unfeasible for these departments to replace or re-program their radio equipment simply to accommodate a new spectrum application for unlicensed users. It is unreasonable for Industry Canada to expect licensed public safety users of assigned frequencies to shoulder the burden of the costs resulting from these proposed changes.

As such, we formally request that Industry Canada not approve the sale and distribution of Multi-use Radio Service (MURS) devices which utilize any frequency that will negatively impact existing communications infrastructure presently being used by emergency services in Ontario and remove **Section 6** from this proposal.

Should Industry Canada proceed to accommodate the MURS on the stated 150 MHz frequencies, we fully expect that the affected parties will seek full funding from Industry Canada to cover the costs incurred to undertake the necessary radio reprogramming or replacement as required. This would include not only the licensed two-way radio equipment directly impacted, but also the numerous voice pocket pagers that are used for volunteer firefighter notification and are tuned to, or negatively impacted by the use of MURS devices on or near, these frequencies.

In closing, the proposed changes outlined in ***Proposals and Changes to the Spectrum in Certain Bands Below 1.7 GHz*** (DGTP-004-05 December 2005) pose an unfeasible financial burden to affected Ontario fire services that, if unresolved through funding arrangements by Industry Canada, have the strong potential to impact public safety in Ontario. The imposition of these costs on affected parties that pay a license fee to operate on those assigned frequencies to accommodate commercial and recreational users, is inappropriate, particularly when these affected parties provide critical public safety response to the citizens of Ontario.

I look forward to the opportunity to provide any further information that may be required to support our position, and to a response by Industry Canada addressing the aforementioned concerns.

Yours truly,

A handwritten signature in black ink that reads "B.A. Moyle". The signature is written in a cursive, flowing style.

Bernard A. Moyle
Fire Marshal of Ontario