

**COMMITTEE ON PUBLIC SAFETY & SECURITY
MINUTES: MARCH 5, 2007**

PUBLIC SAFETY & SECURITY

MEMBERS: **Chair:** Burton; **Legislators:** Burrows, Kaplowitz, Pinto, Swanson

LEGISLATORS: Jenkins

IN ATTENDANCE: **CE's office:** A. Neuman, B. Randolph; **DES:** Tony Sutton; **I.T. M. Beirne;** **Con Ed:** Sandy Miller, George Jee, Dan Lyons; D. Waylan, Public Service Commission; D. Moses, F. Fallon: American Radio Relay League; Ed Hare, National Association for Amateur Radio; A. Crosswell, R.A.C.E.S.; M. Williams, Meter Service Providers Assoc.; **BOL:** S. Vanderberg

With a quorum present, the Public Safety Committee was called to order at 9:03 a.m.

The meeting opened with a brief introduction to the issue by Alan Crosswell. Mr. Crosswell is an FCC-licensed Extra Class Amateur Radio operator and has been appointed by the Westchester County Commissioner of Emergency Services the Radio Amateur Civil Emergency Services Radio Officer. In a nut shell, certain aspects of Broadband over Power Line technology, such as radiation eliminations from unshielded wires, have the potential to cause interference and disruptions to Amateur Radio operation. Mr. Crosswell expressed his concern that if left uncorrected and allowed to expand as implemented in Briarcliff Manor, the Con Edison Broadband over Power Line System will cause harmful interference that will prevent emergency as well as routine Amateur Radio communications. If the technology spreads, urban fire departments which utilize 40 megahertz frequencies stand to be the most the affected.

A copy of his written testimony is on file for review upon request.

Mr. Ed Hare, a member of the American Radio Relay League, stated the main cause of concern is the electro-magnetic compatibility issues surrounding the BPL system as it exists now. The ARRL is concerned over what they perceive as Con Edison's lack of control over their power grids and stressed the importance of maintaining an accurate database reflecting all technical issues that arise with the BPL system; unfortunately Briarcliff Manor data is not included in this database because it operates under an FCC experimental license.

ARRL members do not feel the Briarcliff Manor project as operated by the Ambient Corporation is in accordance with FCC guidelines. Mr. Hare

acknowledged a large part of the problem can be attributed to the project's Generation 1 operating system, which has been the cause of much of the interference despite Ambient's attempt at "notching" (a procedure used to cover-up interference when/where possible, this process is extremely limited). The ARRL did concede that Generation 2 technology is a vast improvement and could prevent these issues.

Commissioner Anthony Sutton, Department of Emergency Services said the ARRL plays an integral role in the County's emergency services operation, shadowing the official system and serving as back-up to the Indian Point emergency system. Because of this successful working relationship, he felt obstructions to their operational capability could potentially impede emergency operations.

- o Committee members requested a chart reflecting the nature of ARRL participation and communities served.

Mr. George Jee, Con Edison stated the Ambient Corporation was running this particular program and that he didn't recall any complaints forwarded from Ambient. He felt some of the ARRL's concerns could be better addressed by the FCC as it was his understanding the FCC would not be accepting complaints from mobile operators. He said the present experimental license expired in August of 2007 and was unclear if the license will be renewed. Mr. Jee felt better technology probably existed and was unsure of Con Ed's direction going forward but stated if project was to continue it would do so utilizing Generation 2 technology. Mr. Hare agreed to meet with Con Ed on site to point out ARRL concerns.

Commissioner Sutton suggested the FCC, Con Ed, Ambient and the ARRL conduct a sampling on location to quantify all concerns and attempt to find a resolution. Dan Waylan of the PSC said he would be available to participate.

Committee Chair Burton asked Commissioner Sutton to with the suggested testing and update the committee as necessary.

A DVD copy of the ARRL presentation and a written copy of a Public Service Commission report on the issue dated October 18, 2007 and circulated for Committee review are on file and available for review upon request.

RECIVE & FILE:

On the motion of Legislator Burrows, seconded by Legislator Pinto Agenda items were received & filed unanimously.

With no further business to discuss the meeting adjourned at 9:55 am.

