

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of:)	
)	
Boulder Regional Emergency Telephone)	PS Docket 19-254
Service Authority Petitions)	
)	
)	
)	October 11, 2019

REPLY OF MUTUALINK, INC.

Background

Mutualink, Inc., is a Connecticut based corporation that develops and furnishes real time multimedia interoperability solutions to US public safety agencies and critical infrastructure entities (“Mutualink”) submits its reply comments in the above referenced matter.

Discussion

Having reviewed the comments submitted in the subject proceeding, the central question would first seem to turn on the prescribed authority and duties of the First Responder Network Authority (“FNRA”) and the Commission. These powers, responsibilities and duties are articulated under 47 U.S. Code §1426 and §1426 and generally with respect to the Commission under §1431 and §1433.

We note as a basic proposition that the FNRA’s primary charge under §1422(a) is to “*ensure the establishment of a nationwide, interoperable public safety broadband network.*” This network is further defined under §1422(b) and states that “*the nationwide public safety broadband network shall be based on a single, national network architecture that evolves with technological advancements and initially consists of [two components].*”

Although the natural interpretation of these provisions suggests that the Commission and FNRA have the general authority to enhance the scope and requirements of the architecture of the network, with respect to the question at hand, it should be considered in relation to its primary mandate: establishing a nationwide public safety broadband network. The imposition of any new requirements, therefore, must be understood and appreciated in the context of the burden of time, technology, cost and benefit. This becomes especially relevant within the context of the current

established contractual framework and associated obligations and endeavors already established to build-out the network. Equally, relevant, it must be understood and evaluated in view of currently available means of achieving cross-network and multiagency interoperable communications that are already existent.

Today, Mutualink is already providing cross broadband network interoperability to over 2,000 federal, state and local agencies across the nation. These agencies have the capability to instantly and securely bridge on-demand voice (including LMR and PTT systems), video and data to any other partners across any network (wireless, terrestrial broadband, satellite). While cross-connecting radios with wireless broadband network-based PTT (and MCPTT) applications within an agency, albeit important, it is a limited form of interoperability. The driving need within the public safety community is multi-agency interoperability which operates within proper command and control frameworks being respected within and among agencies. These important principles are set forth under the national incident command system (ICS).

We point out that the current issue misses the mark in the broader context of public safety needs. Handset to handset connectivity, enabling any end-user from one agency to communicate with any other end-user is a functional outcome similar to commercial PSTN mobile capabilities. This is not necessarily relevant or consistent with public safety operational needs. Rather, the driving issue is and remains enabling cross-agency interoperability with the ability to enable end-users from different agencies to communicate as needed across any system within proper command and control, span of control and functional group constructs under ICS and standard operating procedures in emergency response. Simply enabling a “free for all” environment in the absence of appreciating and respecting the unique communication needs of first responders will advance little in the way of meaningful communication and coordination. Likewise, allowing or fostering ongoing artificial constraints that inhibit first responders agencies (and their end-users) from being able to selectively communicate with each other across any device, communications system or network, as and when needed, is equally harmful to the mission of enabling scalable, all hazards, all disciplines coordination and communication in times of emergency.

Mutualink would like to emphasize that cross agency interoperability remains largely unsolved almost 20 years after the September 11th. A litany of after-action and post-event investigations since have routinely identified the inability to communicate and the inability to coordinate response as the major factor in failed or hampered responses, often with deadly consequences. These events include many well-known and reported cases ranging from Hurricane Katrina, the Aurora Theater shooting, the Naval Yard mass shooting, the Philadelphia Amtrak derailment, and the recent California Camp fire and in Parkland Florida mass shooting, to name a few among too many.

We again remind the Commission that proprietary LMR radio networks remain the primary communication tools of public safety agencies and they operate in their own silos. Efforts to enable interoperability between radio networks has largely failed through the adoption of industry driven P25 standards due to opportunistic licensing models that make ISSI based interconnection cost prohibitive and other uncompetitive tying practices. The inability or limited ability to access and interface with these networks remains the root cause of the nation's interoperability crisis, and FirstNet will not solve this issue unless the Commission takes action to address it. If FirstNet is to meet its intended objectives and achieve wide-scale adoption it must necessarily provide a means for these external systems (whether they are proprietary radio systems, other communications networks, information systems, IoT systems or the like) to interoperate with FirstNet and enable users to receive, send, transform and exchange information.

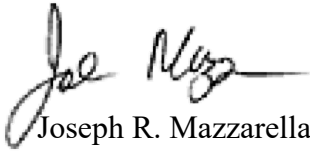
Rather than imposing a particular method or means of carrier to carrier interconnection that misses the mark in the absence of proper cross agency interoperability command and control framework considerations, we believe the Commission should focus on ensuring that open access and general interconnection capabilities are fostered and facilitated with existing communication systems. This achieves a broader implicit objective of achieving a resilient and adaptive national network communications environment that serves the safety and welfare of the public at large.

As previously commented, encouraging or permitting any environment that serves to dissuade first responders from using the most effective communications tools in their arsenal or allowing commercial interests to block or impair free and open access between communications systems, particularly radio systems, would be contrary to the public interest. Today, technologies like Mutualink can bridge and intermediate communications between both carrier networks in a seamless and secure manner with each agency retaining control over their communications environments. As long as this capability is permitted and encouraged to exist, and it is allowed to do so without hindrance or undue burden, the current issue may be moot for the time being. Along this line if the FirstNet network is to be the national public safety network and nation's backbone of public safety interoperability, interconnectivity with other communication systems with particular emphasis on solving the root cause of the problem must be addressed. The lack of access and connectivity to proprietary radio network environments that seek to maintain a stranglehold over public safety agencies while simultaneously seeking to free ride on FirstNet without reciprocating free, fair and open access to their environments is impermissibly inconsistent with the national policy and the purpose of the network.

As previously argued, to the extent any LMR or LMR interconnected or related service provider is permitted to interconnect with a wireless carrier system and enjoy any form of priority or preemptive treatment, they must be required to be open and provide equal access for others to connect to the LMR and LMR interconnected or related service environments without any form of

economic or other commercial discrimination. Similarly, among carriers the ability to interconnect in reasonable fashion exist today through technologies like Mutualink and the Commission should seek to ensure wireless public safety users in one network have ability to connect to the other remains available to these technologies. We believe that an interconnected eco-system of public and private public safety networks is essential to the nation's resiliency and ability to respond to the many increased threats we face.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Mazzarella", with a stylized flourish at the end.

Joseph R. Mazzarella
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